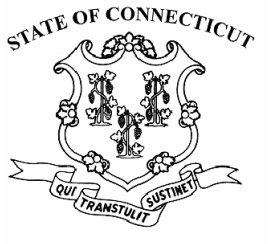

House Bill No. 6706

Public Act No. 13-247

AN ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE BIENNIUM ENDING JUNE 30, 2015 CONCERNING GENERAL GOVERNMENT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (*Effective July 1, 2013*) The following sums are appropriated from the GENERAL FUND for the annual periods indicated for the purposes described.

	2013-2014	2014-2015
LEGISLATIVE		
LEGISLATIVE MANAGEMENT		
Personal Services	$47,745,867	$50,395,341
Other Expenses	16,130,406	17,168,117
Equipment	107,285	50,100
Flag Restoration	75,000	75,000
Interim Salary/Caucus Offices	605,086	495,478
Connecticut Academy of Science and Engineering	500,000	400,000
Old State House	555,950	581,500
Interstate Conference Fund	383,747	399,080
New England Board of Higher Education	192,938	202,584
Nonfunctional - Change to Accruals	309,233	295,053
AGENCY TOTAL	66,605,512	70,062,253

AUDITORS OF PUBLIC ACCOUNTS		
Personal Services	11,287,145	11,860,523
Other Expenses	426,778	439,153
Equipment	10,000	10,000
Nonfunctional - Change to Accruals	68,686	69,637
AGENCY TOTAL	11,792,609	12,379,313
COMMISSION ON AGING		
Personal Services	395,673	417,627
Other Expenses	37,418	38,848
Nonfunctional - Change to Accruals	7,901	2,499
AGENCY TOTAL	440,992	458,974
PERMANENT COMMISSION ON THE STATUS OF WOMEN		
Personal Services	513,111	543,032
Other Expenses	78,834	57,117
Equipment	1,000	1,000
Nonfunctional - Change to Accruals	5,476	3,588
AGENCY TOTAL	598,421	604,737
COMMISSION ON CHILDREN		
Personal Services	630,416	670,356
Other Expenses	76,187	77,055
Nonfunctional - Change to Accruals	9,431	5,062
AGENCY TOTAL	716,034	752,473
LATINO AND PUERTO RICAN AFFAIRS COMMISSION		
Personal Services	400,430	419,433
Other Expenses	63,980	28,144
Nonfunctional - Change to Accruals	6,351	2,457
AGENCY TOTAL	470,761	450,034

AFRICAN-AMERICAN AFFAIRS COMMISSION		
Personal Services	260,856	273,642
Other Expenses	25,032	25,684
Nonfunctional - Change to Accruals	4,081	1,551
AGENCY TOTAL	289,969	300,877
ASIAN PACIFIC AMERICAN AFFAIRS COMMISSION		
Personal Services	169,370	179,683
Other Expenses	65,709	15,038
Nonfunctional - Change to Accruals	4,483	2,678
AGENCY TOTAL	239,562	197,399
GENERAL GOVERNMENT		
GOVERNOR'S OFFICE		
Personal Services	2,322,025	2,328,660
Other Expenses	216,646	216,646
Equipment	1	1
New England Governors' Conference	109,937	113,289
National Governors' Association	130,907	134,899
Nonfunctional - Change to Accruals	0	9,030
AGENCY TOTAL	2,779,516	2,802,525
SECRETARY OF THE STATE		
Personal Services	2,712,404	2,865,243
Other Expenses	1,564,207	1,424,207
Equipment	1	1
Commercial Recording Division	5,444,606	5,533,021
Board of Accountancy	270,251	282,167
Nonfunctional - Change to Accruals	73,633	34,060
AGENCY TOTAL	10,065,102	10,138,699
LIEUTENANT GOVERNOR'S OFFICE		
Personal Services	630,003	642,515

Other Expenses	74,133	74,133
Equipment	1	1
Nonfunctional - Change to Accruals	12,502	3,409
AGENCY TOTAL	716,639	720,058
STATE TREASURER		
Personal Services	3,529,167	3,651,385
Other Expenses	166,264	166,264
Equipment	1	1
Nonfunctional - Change to Accruals	21,585	22,203
AGENCY TOTAL	3,717,017	3,839,853
STATE COMPTROLLER		
Personal Services	22,884,665	24,043,551
Other Expenses	4,241,958	4,141,958
Equipment	1	1
Governmental Accounting Standards Board	19,570	19,570
Nonfunctional - Change to Accruals	203,623	148,923
AGENCY TOTAL	27,349,817	28,354,003
DEPARTMENT OF REVENUE SERVICES		
Personal Services	57,919,094	60,513,194
Other Expenses	9,409,801	7,704,801
Equipment	1	1
Collection and Litigation Contingency Fund	94,294	94,294
Nonfunctional - Change to Accruals	323,813	326,251
AGENCY TOTAL	67,747,003	68,638,541
OFFICE OF GOVERNMENTAL ACCOUNTABILITY		
Personal Services	764,039	800,028
Other Expenses	78,188	78,188
Equipment	1	1
Child Fatality Review Panel	95,682	101,255
Information Technology Initiatives	31,588	31,588
Citizens' Election Fund Admin	1,759,186	1,956,136

Elections Enforcement Commission	1,413,786	1,497,138
Office of State Ethics	1,416,036	1,511,748
Freedom of Information Commission	1,609,668	1,663,840
Contracting Standards Board	170,000	170,000
Judicial Review Council	137,328	140,863
Judicial Selection Commission	87,730	89,956
Office of the Child Advocate	509,374	524,747
Office of the Victim Advocate	434,045	445,172
Board of Firearms Permit Examiners	83,430	85,591
Nonfunctional - Change to Accruals	0	41,375
AGENCY TOTAL	8,590,081	9,137,626
OFFICE OF POLICY AND MANAGEMENT		
Personal Services	11,518,762	11,962,512
Other Expenses	2,117,001	1,817,001
Equipment	1	1
Automated Budget System and Data Base Link	49,706	49,706
Cash Management Improvement Act	91	91
Justice Assistance Grants	1,076,943	1,078,704
Innovation Challenge Grant Program	375,000	375,000
Criminal Justice Information System	1,856,718	482,700
Youth Services Prevention	3,500,000	3,500,000
Regional Planning Agencies	475,000	475,000
Reimbursement to Towns for Loss of Taxes on State Property	73,641,646	73,641,646
Reimbursements to Towns for Private Tax-Exempt Property	115,431,737	115,431,737
Reimbursement Property Tax - Disability Exemption	400,000	400,000
Distressed Municipalities	5,800,000	5,800,000
Property Tax Relief Elderly Circuit Breaker	20,505,900	20,505,900
Property Tax Relief Elderly Freeze Program	235,000	235,000
Property Tax Relief for Veterans	2,970,098	2,970,098
Focus Deterrence	475,000	475,000
Municipal Aid Adjustment	4,467,456	3,608,728
Nonfunctional - Change to Accruals	177,188	0

AGENCY TOTAL	245,073,247	242,808,824
DEPARTMENT OF VETERANS' AFFAIRS		
Personal Services	21,974,165	23,055,692
Other Expenses	5,607,850	5,607,850
Equipment	1	1
Support Services for Veterans	180,500	180,500
Burial Expenses	7,200	7,200
Headstones	332,500	332,500
Nonfunctional - Change to Accruals	75,705	137,388
AGENCY TOTAL	28,177,921	29,321,131
DEPARTMENT OF ADMINISTRATIVE SERVICES		
Personal Services	48,997,323	51,845,696
Other Expenses	35,865,292	38,408,346
Equipment	1	1
Tuition Reimbursement - Training and Travel	382,000	382,000
Labor - Management Fund	75,000	75,000
Management Services	4,741,484	4,753,809
Loss Control Risk Management	114,854	114,854
Employees' Review Board	22,210	22,210
Surety Bonds for State Officials and Employees	63,500	5,600
Quality of Work-Life	350,000	350,000
Refunds Of Collections	25,723	25,723
Rents and Moving	12,183,335	12,100,447
Capitol Day Care Center	120,888	120,888
W. C. Administrator	5,250,000	5,250,000
Connecticut Education Network	3,268,712	3,291,857
State Insurance and Risk Mgmt Operations	12,643,063	13,345,386
IT Services	13,783,670	13,849,251
Nonfunctional - Change to Accruals	734,264	729,894
AGENCY TOTAL	138,621,319	144,670,962
ATTORNEY GENERAL		

Personal Services	31,469,627	33,015,870
Other Expenses	1,141,319	1,139,319
Equipment	1	1
Nonfunctional - Change to Accruals	199,953	209,407
AGENCY TOTAL	32,810,900	34,364,597
DIVISION OF CRIMINAL JUSTICE		
Personal Services	45,026,046	47,166,648
Other Expenses	2,462,258	2,449,701
Equipment	26,883	1
Witness Protection	200,000	200,000
Training And Education	51,000	51,000
Expert Witnesses	350,000	350,000
Medicaid Fraud Control	1,421,372	1,471,890
Criminal Justice Commission	481	481
Cold Case Unit	249,910	264,844
Shooting Taskforce	1,009,495	1,066,178
Nonfunctional - Change to Accruals	301,793	293,139
AGENCY TOTAL	51,099,238	53,313,882
REGULATION AND PROTECTION		
DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION		
Personal Services	131,117,477	132,850,282
Other Expenses	30,069,428	26,289,428
Equipment	106,022	93,990
Stress Reduction	23,354	23,354
Fleet Purchase	4,870,266	5,692,090
Gun Law Enforcement Task Force	1,000,000	0
Workers' Compensation Claims	4,238,787	4,238,787
Fire Training School - Willimantic	153,709	153,709
Maintenance of County Base Fire Radio Network	23,918	23,918
Maintenance of State-Wide Fire Radio Network	15,919	15,919

Police Association of Connecticut	190,000	190,000
Connecticut State Firefighter's Association	194,711	194,711
Fire Training School - Torrington	77,299	77,299
Fire Training School - New Haven	45,946	45,946
Fire Training School - Derby	35,283	35,283
Fire Training School - Wolcott	95,154	95,154
Fire Training School - Fairfield	66,876	66,876
Fire Training School - Hartford	160,870	160,870
Fire Training School - Middletown	56,101	56,101
Fire Training School - Stamford	52,661	52,661
Nonfunctional - Change to Accruals	731,031	678,000
AGENCY TOTAL	173,324,812	171,034,378
DEPARTMENT OF MOTOR VEHICLES		
Personal Services	209,950	244,342
Other Expenses	190,374	194,722
Nonfunctional - Change to Accruals	0	755
AGENCY TOTAL	400,324	439,819
MILITARY DEPARTMENT		
Personal Services	2,958,725	3,130,954
Other Expenses	2,831,808	2,993,728
Equipment	1	1
Honor Guards	471,526	471,526
Veteran's Service Bonuses	312,000	172,000
Nonfunctional - Change to Accruals	20,182	19,610
AGENCY TOTAL	6,594,242	6,787,819
DEPARTMENT OF CONSUMER PROTECTION		
Personal Services	14,797,102	15,464,846
Other Expenses	1,193,900	1,193,900
Equipment	1	1
Nonfunctional - Change to Accruals	83,225	97,562
AGENCY TOTAL	16,074,228	16,756,309

LABOR DEPARTMENT		
Personal Services	8,482,128	8,839,335
Other Expenses	964,324	964,324
Equipment	1	1
CETC Workforce	763,697	770,595
Workforce Investment Act	28,481,350	28,481,350
Job Funnels Projects	853,750	853,750
Connecticut's Youth Employment Program	4,500,000	4,500,000
Jobs First Employment Services	18,826,769	18,660,859
STRIDE	590,000	590,000
Apprenticeship Program	595,824	618,019
Spanish-American Merchants Association	570,000	570,000
Connecticut Career Resource Network	155,579	160,054
21st Century Jobs	427,447	429,178
Incumbent Worker Training	377,500	377,500
STRIVE	270,000	270,000
Intensive Support Services	304,000	304,000
Nonfunctional - Change to Accruals	119,149	76,564
AGENCY TOTAL	66,281,518	66,465,529
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES		
Personal Services	5,590,665	5,934,143
Other Expenses	305,337	302,837
Equipment	1	1
Martin Luther King, Jr. Commission	6,318	6,318
Nonfunctional - Change to Accruals	60,156	39,012
AGENCY TOTAL	5,962,477	6,282,311
PROTECTION AND ADVOCACY FOR PERSONS WITH DISABILITIES		
Personal Services	2,229,783	2,278,257
Other Expenses	203,190	203,190
Equipment	1	1
Nonfunctional - Change to Accruals	8,425	10,351
AGENCY TOTAL	2,441,399	2,491,799

CONSERVATION AND DEVELOPMENT		
DEPARTMENT OF AGRICULTURE		
Personal Services	3,604,488	3,767,095
Other Expenses	722,045	652,045
Equipment	1	1
Vibrio Bacterium Program	1	1
Senior Food Vouchers	365,062	363,016
Environmental Conservation	85,500	85,500
Collection of Agricultural Statistics	975	975
Tuberculosis and Brucellosis Indemnity	855	855
Fair Testing	3,838	3,838
WIC Coupon Program for Fresh Produce	174,886	174,886
Nonfunctional - Change to Accruals	25,369	21,028
AGENCY TOTAL	4,983,020	5,069,240
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION		
Personal Services	30,412,459	31,668,528
Other Expenses	3,895,422	3,820,422
Equipment	1	1
Stream Gaging	189,583	189,583
Mosquito Control	253,028	262,547
State Superfund Site Maintenance	514,046	514,046
Laboratory Fees	161,794	161,794
Dam Maintenance	133,574	138,760
Emergency Spill Response	7,286,647	7,538,207
Solid Waste Management	3,829,572	3,957,608
Underground Storage Tank	952,363	999,911
Clean Air	4,454,787	4,586,375
Environmental Conservation	9,261,679	9,466,633
Environmental Quality	10,024,734	10,327,745
Pheasant Stocking Account	160,000	160,000
Greenways Account	2	2

Conservation Districts & Soil and Water Councils	300,000	300,000
Interstate Environmental Commission	48,783	48,783
Agreement USGS - Hydrological Study	147,683	147,683
New England Interstate Water Pollution Commission	28,827	28,827
Northeast Interstate Forest Fire Compact	3,295	3,295
Connecticut River Valley Flood Control Commission	32,395	32,395
Thames River Valley Flood Control Commission	48,281	48,281
Agreement USGS-Water Quality Stream Monitoring	204,641	204,641
Nonfunctional - Change to Accruals	0	289,533
AGENCY TOTAL	72,343,596	74,895,600
COUNCIL ON ENVIRONMENTAL QUALITY		
Personal Services	163,401	170,396
Other Expenses	1,812	1,812
Equipment	1	1
AGENCY TOTAL	165,214	172,209
DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT		
Personal Services	7,901,060	8,229,087
Other Expenses	586,717	586,717
Equipment	1	1
Statewide Marketing	12,000,000	12,000,000
Small Business Incubator Program	387,093	387,093
Hartford Urban Arts Grant	359,776	359,776
New Britain Arts Council	71,956	71,956
Main Street Initiatives	162,450	162,450
Office of Military Affairs	430,833	430,834
Hydrogen/Fuel Cell Economy	175,000	175,000
CCAT-CT Manufacturing Supply Chain	732,256	732,256
Capitol Region Development Authority	6,620,145	6,170,145
Neighborhood Music School	50,000	50,000

Nutmeg Games	24,000	24,000
Discovery Museum	359,776	359,776
National Theatre for the Deaf	143,910	143,910
CONNSTEP	588,382	588,382
Development Research and Economic Assistance	137,902	137,902
CT Trust for Historic Preservation	199,876	199,876
Connecticut Science Center	599,073	599,073
CT Flagship Producing Theaters Grant	475,000	475,000
Women's Business Center	500,000	500,000
Performing Arts Centers	1,439,104	1,439,104
Performing Theaters Grant	452,857	452,857
Arts Commission	1,797,830	1,797,830
Greater Hartford Arts Council	89,943	89,943
Stepping Stones Museum for Children	42,079	42,079
Maritime Center Authority	504,949	504,949
Tourism Districts	1,435,772	1,435,772
Amistad Committee for the Freedom Trail	45,000	45,000
Amistad Vessel	359,776	359,776
New Haven Festival of Arts and Ideas	757,423	757,423
New Haven Arts Council	89,943	89,943
Beardsley Zoo	372,539	372,539
Mystic Aquarium	589,106	589,106
Quinebaug Tourism	39,457	39,457
Northwestern Tourism	39,457	39,457
Eastern Tourism	39,457	39,457
Central Tourism	39,457	39,457
Twain/Stowe Homes	90,890	90,890
Cultural Alliance of Fairfield County	89,943	89,943
Nonfunctional - Change to Accruals	25,848	50,013
AGENCY TOTAL	40,846,036	40,748,229
DEPARTMENT OF HOUSING		
Personal Services	1,913,586	1,969,658
Other Expenses	140,000	140,000
Elderly Rental Registry and Counselors	1,058,144	1,058,144

Fair Housing	293,313	293,313
Main Street Investment Fund Administration	71,250	71,250
Tax Relief For Elderly Renters	24,860,000	24,860,000
Subsidized Assisted Living Demonstration	2,178,000	2,345,000
Congregate Facilities Operation Costs	7,282,393	7,784,420
Housing Assistance and Counseling Program	438,500	438,500
Elderly Congregate Rent Subsidy	2,141,495	2,162,504
Housing/Homeless Services	58,815,972	63,440,480
Tax Abatement	1,444,646	1,444,646
Payment In Lieu Of Taxes	1,873,400	1,873,400
Housing/Homeless Services - Municipality	640,398	640,398
Nonfunctional - Change to Accruals	55,377	7,043
AGENCY TOTAL	103,206,474	108,528,756
AGRICULTURAL EXPERIMENT STATION		
Personal Services	5,959,626	6,293,102
Other Expenses	901,360	901,360
Equipment	1	1
Mosquito Control	473,853	490,203
Wildlife Disease Prevention	87,992	93,062
Nonfunctional - Change to Accruals	36,578	43,362
AGENCY TOTAL	7,459,410	7,821,090
HEALTH AND HOSPITALS		
DEPARTMENT OF PUBLIC HEALTH		
Personal Services	34,643,549	34,383,489
Other Expenses	6,571,032	6,771,619
Equipment	1	1
Needle and Syringe Exchange Program	459,416	459,416
Children's Health Initiatives	2,051,217	2,065,957
Childhood Lead Poisoning	72,362	72,362
Aids Services	4,975,686	4,975,686
Breast and Cervical Cancer Detection and Treatment	2,209,922	2,222,917
Children with Special Health Care Needs	1,220,505	1,220,505

Medicaid Administration	2,637,563	2,784,617
Fetal and Infant Mortality Review	19,000	19,000
Immunization Services	30,076,656	31,361,117
Community Health Services	6,298,866	5,855,796
Rape Crisis	422,008	422,008
X-Ray Screening and Tuberculosis Care	1,195,148	1,195,148
Genetic Diseases Programs	795,427	795,427
Local and District Departments of Health	4,669,173	4,669,173
Venereal Disease Control	187,362	187,362
School Based Health Clinics	12,747,463	12,638,716
Nonfunctional - Change to Accruals	201,698	147,102
AGENCY TOTAL	111,454,054	112,247,418
OFFICE OF THE CHIEF MEDICAL EXAMINER		
Personal Services	4,447,470	4,674,075
Other Expenses	884,544	900,443
Equipment	19,226	19,226
Medicolegal Investigations	27,387	27,417
Nonfunctional - Change to Accruals	21,176	26,603
AGENCY TOTAL	5,399,803	5,647,764
DEPARTMENT OF DEVELOPMENTAL SERVICES		
Personal Services	255,201,408	265,451,852
Other Expenses	22,302,444	22,196,100
Equipment	1	1
Human Resource Development	198,361	198,361
Family Support Grants	2,860,287	2,860,287
Cooperative Placements Program	23,088,551	24,079,717
Clinical Services	4,300,720	4,300,720
Early Intervention	37,286,804	37,286,804
Community Temporary Support Services	60,753	60,753
Community Respite Care Programs	558,137	558,137
Workers' Compensation Claims	15,246,035	15,246,035
Pilot Program for Autism Services	1,637,528	1,637,528

Voluntary Services	32,376,869	32,376,869
Supplemental Payments for Medical Services	5,978,116	5,978,116
Rent Subsidy Program	5,050,212	5,150,212
Family Reunion Program	121,749	121,749
Employment Opportunities and Day Services	212,763,749	222,857,347
Community Residential Services	435,201,326	453,647,020
Nonfunctional - Change to Accruals	982,585	2,500,118
AGENCY TOTAL	1,055,215,635	1,096,507,726
DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES		
Personal Services	180,175,144	193,931,357
Other Expenses	28,626,219	28,626,219
Equipment	1	1
Housing Supports And Services	15,832,467	16,332,467
Managed Service System	52,594,458	57,034,913
Legal Services	995,819	995,819
Connecticut Mental Health Center	8,665,721	8,665,721
Professional Services	11,788,898	11,788,898
General Assistance Managed Care	115,405,969	40,774,875
Workers' Compensation Claims	10,594,566	10,594,566
Nursing Home Screening	591,645	591,645
Young Adult Services	69,942,480	75,866,518
TBI Community Services	15,296,810	17,079,532
Jail Diversion	4,416,110	4,523,270
Behavioral Health Medications	6,169,095	6,169,095
Prison Overcrowding	6,620,112	6,727,968
Medicaid Adult Rehabilitation Option	4,803,175	4,803,175
Discharge and Diversion Services	17,412,660	20,062,660
Home and Community Based Services	12,937,339	17,371,852
Persistent Violent Felony Offenders Act	675,235	675,235
Nursing Home Contract	485,000	485,000
Pre-Trial Account	350,000	350,000
Grants for Substance Abuse Services	20,605,434	17,567,934
Grants for Mental Health Services	66,134,714	58,909,714
Employment Opportunities	10,522,428	10,522,428

Nonfunctional - Change to Accruals	1,458,025	2,444,140
AGENCY TOTAL	663,099,524	612,895,002
PSYCHIATRIC SECURITY REVIEW BOARD		
Personal Services	245,989	252,955
Other Expenses	31,469	31,469
Equipment	1	1
Nonfunctional - Change to Accruals	711	1,126
AGENCY TOTAL	278,170	285,551
HUMAN SERVICES		
DEPARTMENT OF SOCIAL SERVICES		
Personal Services	113,746,588	122,391,148
Other Expenses	121,398,741	113,078,216
Equipment	1	1
Children's Health Council	208,050	208,050
HUSKY Information and Referral	159,393	0
State Food Stamp Supplement	685,149	725,059
HUSKY B Program	30,460,000	30,540,000
Charter Oak Health Plan	4,280,000	0
Medicaid	2,409,314,923	2,289,569,579
Old Age Assistance	37,629,862	39,949,252
Aid To The Blind	812,205	855,251
Aid To The Disabled	63,289,492	67,961,417
Temporary Assistance to Families - TANF	112,139,791	112,058,614
Emergency Assistance	1	1
Food Stamp Training Expenses	12,000	12,000
CT Pharmaceutical Assistance Contract to the Elderly	126,500	0
Healthy Start	1,430,311	1,430,311
DMHAS-Disproportionate Share	108,935,000	108,935,000
Connecticut Home Care Program	44,324,196	45,584,196
Human Resource Development-Hispanic Programs	965,739	965,739
Services To The Elderly	324,737	324,737

Safety Net Services	2,814,792	2,814,792
Transportation for Employment Independence Program	3,028,671	2,028,671
Refunds Of Collections	150,000	150,000
Services for Persons With Disabilities	602,013	602,013
Child Care Services-TANF/CCDBG	98,967,400	0
Nutrition Assistance	479,666	479,666
Housing/Homeless Services	5,210,676	5,210,676
Disproportionate Share-Medical Emergency Assistance	134,243,423	0
State Administered General Assistance	17,283,300	17,866,800
Child Care Quality Enhancements	563,286	563,286
Connecticut Children's Medical Center	15,579,200	15,579,200
Community Services	1,075,199	1,075,199
Human Service Infrastructure Community Action Program	3,453,326	3,453,326
Teen Pregnancy Prevention	1,837,378	1,837,378
Fatherhood Initiative	371,656	371,656
Child Support Refunds and Reimbursements	181,585	181,585
Human Resource Development-Hispanic Programs - Municipality	5,364	5,364
Teen Pregnancy Prevention - Municipality	137,826	137,826
Community Services - Municipality	83,761	83,761
Nonfunctional - Change to Accruals	13,955,945	35,859,861
AGENCY TOTAL	3,350,267,146	3,022,889,631
STATE DEPARTMENT ON AGING		
Personal Services	2,216,331	2,343,834
Other Expenses	195,577	195,577
Equipment	1	1
Programs for Senior Citizens	6,370,065	6,370,065
Nonfunctional - Change to Accruals	100,494	13,675
AGENCY TOTAL	8,882,468	8,923,152
STATE DEPARTMENT OF REHABILITATION		
Personal Services	5,950,718	6,277,563

Other Expenses	1,632,775	1,629,580
Equipment	1	1
Part-Time Interpreters	196,200	201,522
Educational Aid for Blind and Visually Handicapped Children	3,603,169	3,795,388
Enhanced Employment Opportunities	653,416	653,416
Vocational Rehabilitation - Disabled	7,460,892	7,460,892
Supplementary Relief and Services	99,749	99,749
Vocational Rehabilitation - Blind	899,402	899,402
Special Training for the Deaf Blind	286,581	286,581
Connecticut Radio Information Service	83,258	83,258
Employment Opportunities	757,878	757,878
Independent Living Centers	528,680	528,680
Nonfunctional - Change to Accruals	0	39,821
AGENCY TOTAL	22,152,719	22,713,731
EDUCATION, MUSEUMS, LIBRARIES		
DEPARTMENT OF EDUCATION		
Personal Services	17,618,304	18,507,312
Other Expenses	3,458,980	3,458,980
Equipment	1	1
Basic Skills Exam Teachers in Training	1,226,867	1,255,655
Teachers' Standards Implementation Program	2,941,683	2,941,683
Development of Mastery Exams Grades 4, 6, and 8	20,147,588	18,971,294
Primary Mental Health	427,209	427,209
Leadership, Education, Athletics in Partnership (LEAP)	726,750	726,750
Adult Education Action	240,687	240,687
Connecticut Pre-Engineering Program	262,500	262,500
Connecticut Writing Project	50,000	50,000
Resource Equity Assessments	168,064	168,064
Neighborhood Youth Centers	1,271,386	1,271,386
Longitudinal Data Systems	1,263,197	1,263,197
School Accountability	1,856,588	1,860,598

Sheff Settlement	13,259,263	9,409,526
Parent Trust Fund Program	500,000	500,000
Regional Vocational-Technical School System	146,551,879	155,632,696
Science Program for Educational Reform Districts	455,000	455,000
Wrap Around Services	450,000	450,000
Parent Universities	487,500	487,500
School Health Coordinator Pilot	190,000	190,000
Commissioner's Network	10,000,000	17,500,000
Technical Assistance for Regional Cooperation	95,000	95,000
New or Replicated Schools	300,000	900,000
Bridges to Success	601,652	601,652
K-3 Reading Assessment Pilot	2,699,941	2,699,941
Talent Development	10,025,000	10,025,000
Common Core	8,300,000	6,300,000
Alternative High School and Adult Reading Incentive Program	1,200,000	1,200,000
Special Master	2,116,169	2,116,169
American School For The Deaf	10,659,030	10,659,030
Regional Education Services	1,166,026	1,166,026
Family Resource Centers	7,582,414	7,582,414
Youth Service Bureau Enhancement	620,300	620,300
Child Nutrition State Match	2,354,000	2,354,000
Health Foods Initiative	4,661,604	4,806,300
Vocational Agriculture	9,485,565	9,485,565
Transportation of School Children	24,884,748	24,884,748
Adult Education	21,033,915	21,045,036
Health and Welfare Services Pupils Private Schools	4,297,500	4,297,500
Education Equalization Grants	2,066,589,276	2,122,891,002
Bilingual Education	1,916,130	1,916,130
Priority School Districts	47,427,206	46,947,022
Young Parents Program	229,330	229,330
Interdistrict Cooperation	9,146,369	9,150,379
School Breakfast Program	2,300,041	2,379,962
Excess Cost - Student Based	139,805,731	139,805,731

Non-Public School Transportation	3,595,500	3,595,500
School To Work Opportunities	213,750	213,750
Youth Service Bureaus	2,989,268	2,989,268
Open Choice Program	37,018,594	42,616,736
Magnet Schools	265,449,020	281,250,025
After School Program	4,500,000	4,500,000
Nonfunctional - Change to Accruals	767,244	1,055,616
AGENCY TOTAL	2,917,583,769	3,006,409,170
OFFICE OF EARLY CHILDHOOD		
Personal Services	2,539,359	4,985,737
Other Expenses	590,000	8,276,000
Equipment	1	1
Children's Trust Fund	11,671,218	11,671,218
Early Childhood Program	6,748,003	6,761,345
Community Plans for Early Childhood	600,000	750,000
Improving Early Literacy	150,000	150,000
Child Care Services	18,419,752	18,419,752
Evenstart	475,000	475,000
Head Start Services	2,610,743	2,610,743
Head Start Enhancement	1,684,350	1,684,350
Child Care Services-TANF/CCDBG	0	101,489,658
Child Care Quality Enhancements	3,259,170	3,259,170
Head Start - Early Childhood Link	2,090,000	2,090,000
School Readiness Quality Enhancement	3,895,645	3,895,645
School Readiness & Quality Enhancement	74,767,825	74,299,075
Nonfunctional - Change to Accruals	82,891	484,648
AGENCY TOTAL	129,583,957	241,302,342
STATE LIBRARY		
Personal Services	5,000,973	5,216,113
Other Expenses	695,685	695,685
Equipment	1	1
State-Wide Digital Library	1,989,860	1,989,860
Interlibrary Loan Delivery Service	258,471	268,122
Legal/Legislative Library Materials	786,592	786,592

Computer Access	180,500	180,500
Support Cooperating Library Service Units	332,500	332,500
Grants To Public Libraries	203,569	203,569
Connecticard Payments	1,000,000	1,000,000
Connecticut Humanities Council	2,049,752	2,049,752
Nonfunctional - Change to Accruals	22,182	30,949
AGENCY TOTAL	12,520,085	12,753,643
OFFICE OF HIGHER EDUCATION		
Personal Services	1,658,563	1,724,650
Other Expenses	106,911	106,911
Equipment	1	1
Minority Advancement Program	1,517,959	2,181,737
Alternate Route to Certification	85,892	92,840
National Service Act	315,289	325,210
International Initiatives	66,500	66,500
Minority Teacher Incentive Program	447,806	447,806
English Language Learner Scholarship	95,000	95,000
Awards to Children of Deceased/ Disabled Veterans	3,800	3,800
Governor's Scholarship	42,011,398	43,623,498
Nonfunctional - Change to Accruals	30,010	10,889
AGENCY TOTAL	46,339,129	48,678,842
UNIVERSITY OF CONNECTICUT		
Operating Expenses	202,067,550	229,098,979
CommPACT Schools	475,000	475,000
Kirklyn M. Kerr Grant Program	400,000	400,000
AGENCY TOTAL	202,942,550	229,973,979
UNIVERSITY OF CONNECTICUT HEALTH CENTER		
Operating Expenses	125,061,891	135,415,234
AHEC	480,422	480,422
Nonfunctional - Change to Accruals	1,015,846	1,103,433
AGENCY TOTAL	126,558,159	136,999,089

TEACHERS' RETIREMENT BOARD		
Personal Services	1,628,071	1,707,570
Other Expenses	563,290	575,197
Equipment	1	1
Retirement Contributions	948,540,000	984,110,000
Retirees Health Service Cost	16,912,000	21,214,000
Municipal Retiree Health Insurance Costs	5,447,370	5,447,370
Nonfunctional - Change to Accruals	14,038	10,466
AGENCY TOTAL	973,104,770	1,013,064,604
BOARD OF REGENTS FOR HIGHER EDUCATION		
Charter Oak State College	2,377,493	2,475,851
Community Tech College System	148,745,337	155,900,920
Connecticut State University	148,631,924	155,542,999
Board of Regents	663,017	668,841
Nonfunctional - Change to Accruals	447,623	979,321
AGENCY TOTAL	300,865,394	315,567,932
CORRECTIONS		
DEPARTMENT OF CORRECTION		
Personal Services	428,511,042	442,986,743
Other Expenses	74,249,357	74,224,357
Equipment	1	1
Workers' Compensation Claims	26,886,219	26,886,219
Inmate Medical Services	89,713,923	93,932,101
Board of Pardons and Paroles	6,174,461	6,490,841
Distance Learning	95,000	95,000
Aid to Paroled and Discharged Inmates	9,026	9,026
Legal Services To Prisoners	827,065	827,065
Volunteer Services	162,221	162,221
Community Support Services	41,275,777	41,275,777
Nonfunctional - Change to Accruals	2,557,575	2,332,019
AGENCY TOTAL	670,461,667	689,221,370

DEPARTMENT OF CHILDREN AND FAMILIES		
Personal Services	265,473,153	278,821,431
Other Expenses	35,455,292	35,455,292
Equipment	1	1
Workers' Compensation Claims	11,247,553	11,247,553
Family Support Services	986,402	986,402
Differential Response System	8,346,386	8,346,386
Regional Behavioral Health Consultation	1,810,000	1,810,000
Health Assessment and Consultation	1,015,002	1,015,002
Grants for Psychiatric Clinics for Children	15,483,393	15,483,393
Day Treatment Centers for Children	6,783,292	6,783,292
Juvenile Justice Outreach Services	12,841,081	12,841,081
Child Abuse and Neglect Intervention	8,542,370	8,542,370
Community Based Prevention Programs	8,374,056	8,345,606
Family Violence Outreach and Counseling	1,892,201	1,892,201
Support for Recovering Families	15,323,546	15,323,546
No Nexus Special Education	5,041,071	5,041,071
Family Preservation Services	5,735,278	5,735,278
Substance Abuse Treatment	9,491,729	9,491,729
Child Welfare Support Services	2,501,872	2,501,872
Board and Care for Children - Adoption	91,065,504	92,820,312
Board and Care for Children - Foster	113,318,397	113,243,586
Board and Care for Children - Residential	141,375,200	142,148,669
Individualized Family Supports	11,882,968	11,882,968
Community Kidcare	35,716,720	35,716,720
Covenant to Care	159,814	159,814
Neighborhood Center	250,414	250,414
Nonfunctional - Change to Accruals	1,285,159	1,662,894
AGENCY TOTAL	811,397,854	827,548,883
JUDICIAL		
JUDICIAL DEPARTMENT		
Personal Services	325,867,529	342,634,762

Other Expenses	64,248,692	66,722,732
Equipment	2,000	0
Forensic Sex Evidence Exams	1,441,460	1,441,460
Alternative Incarceration Program	56,504,295	56,504,295
Justice Education Center, Inc.	545,828	545,828
Juvenile Alternative Incarceration	28,367,478	28,367,478
Juvenile Justice Centers	3,136,361	3,136,361
Probate Court	9,350,000	10,750,000
Youthful Offender Services	18,177,084	18,177,084
Victim Security Account	9,402	9,402
Children of Incarcerated Parents	582,250	582,250
Legal Aid	1,660,000	1,660,000
Youth Violence Initiative	1,500,000	1,500,000
Judge's Increases	1,796,754	3,688,736
Children's Law Center	109,838	109,838
Nonfunctional - Change to Accruals	2,381,725	2,279,008
AGENCY TOTAL	515,680,696	538,109,234
PUBLIC DEFENDER SERVICES COMMISSION		
Personal Services	40,098,345	41,909,712
Other Expenses	1,545,428	1,550,119
Assigned Counsel - Criminal	9,111,900	9,111,900
Expert Witnesses	2,100,000	2,100,000
Training And Education	130,000	130,000
Assigned Counsel - Child Protection	7,436,000	7,436,000
Contracted Attorneys Related Expenses	150,000	150,000
Family Contracted Attorneys/AMC	575,000	575,000
Nonfunctional - Change to Accruals	224,916	260,298
AGENCY TOTAL	61,371,589	63,223,029
NON-FUNCTIONAL		
MISCELLANEOUS APPROPRIATION TO THE GOVERNOR		
Governor's Contingency Account	1	1

DEBT SERVICE - STATE TREASURER		
Debt Service	1,434,000,853	1,554,881,403
UConn 2000 - Debt Service	135,251,409	156,037,386
CHEFA Day Care Security	5,500,000	5,500,000
Pension Obligation Bonds - TRB	145,076,576	133,922,226
Nonfunctional - Change to Accruals	0	11,321
AGENCY TOTAL	1,719,828,838	1,850,352,336
STATE COMPTROLLER - MISCELLANEOUS		
Adjudicated Claims	4,100,000	4,100,000
STATE COMPTROLLER - FRINGE BENEFITS		
Unemployment Compensation	8,275,189	8,643,507
State Employees Retirement Contributions	916,024,145	969,312,947
Higher Education Alternative Retirement System	28,485,055	30,131,328
Pensions and Retirements - Other Statutory	1,730,420	1,749,057
Judges and Compensation Commissioners Retirement	16,298,488	17,731,131
Insurance - Group Life	8,808,780	9,353,107
Employers Social Security Tax	224,928,273	235,568,631
State Employees Health Service Cost	615,897,053	650,960,045
Retired State Employees Health Service Cost	548,693,300	568,635,039
Tuition Reimbursement - Training and Travel	3,127,500	3,127,500
Nonfunctional - Change to Accruals	24,419,312	17,200,946
AGENCY TOTAL	2,396,687,515	2,512,413,238
RESERVE FOR SALARY ADJUSTMENTS		
Reserve For Salary Adjustments	30,424,382	36,273,043
WORKERS' COMPENSATION CLAIMS - ADMINISTRATIVE SERVICES		
Workers' Compensation Claims	27,187,707	27,187,707

TOTAL - GENERAL FUND	17,361,371,991	17,656,098,266
LESS:		
Unallocated Lapse	-91,676,192	-91,676,192
Unallocated Lapse - Legislative	-3,028,105	-3,028,105
Unallocated Lapse - Judicial	-7,400,672	-7,400,672
General Other Expenses Reductions - Legislative	-140,000	-140,000
General Other Expenses Reductions - Executive	-3,312,000	-3,312,000
General Other Expenses Reductions - Judicial	-548,000	-548,000
General Lapse - Legislative	-56,251	-56,251
General Lapse - Judicial	-401,946	-401,946
General Lapse - Executive	-13,785,503	-13,785,503
Municipal Opportunities and Regional Efficiencies Program	0	-10,000,000
GAAP Lapse	-5,500,000	-7,500,000
Transfer GAAP Funding	-40,000,000	0
Statewide Hiring Reduction - Executive	-5,478,184	-16,675,121
Statewide Hiring Reduction - Judicial	-1,128,261	-3,434,330
Statewide Hiring Reduction - Legislative	-190,309	-579,285
NET - GENERAL FUND	17,188,726,568	17,497,560,861

Sec. 2. (*Effective July 1, 2013*) The following sums are appropriated from the SOLDIERS, SAILORS AND MARINES' FUND for the annual periods indicated for the purposes described.

	2013-2014	2014-2015
HUMAN SERVICES		
SOLDIERS, SAILORS AND MARINES' FUND		
Personal Services	$614,160	$0
Other Expenses	42,397	0
Award Payments To Veterans	1,979,800	0

Fringe Benefits	457,753	0
Nonfunctional - Change to Accruals	5,509	0
AGENCY TOTAL	3,099,619	0

Sec. 3. Deleted.

Sec. 4. Deleted.

Sec. 5. Deleted.

Sec. 6. Deleted.

Sec. 7. Deleted.

Sec. 8. Deleted.

Sec. 9. Deleted.

Sec. 10. Deleted.

Sec. 11. (*Effective from passage*) Notwithstanding the provisions of subparagraph (B) of subdivision (72) of section 12-81 of the general statutes, any person otherwise eligible for a 2010 grand list exemption pursuant to said subdivision (72) in the town of Bloomfield, except that such person failed to file the required exemption application within the time period prescribed, shall be regarded as having filed said application in a timely manner if such person files said application not later than thirty days after the effective date of this section, and pays the late filing fee pursuant to section 12-81k of the general statutes. Upon confirmation of the receipt of such fee and verification of the exemption eligibility of the machinery and equipment included in such application, the assessor shall approve the exemption for such property. If taxes have been paid on the property for which such exemption is approved, the town of Bloomfield shall reimburse such person in an amount equal to the amount by which such taxes exceed the taxes payable if the application had been filed in a timely manner.

Sec. 12. (*Effective from passage*) Notwithstanding the provisions of sections 12-41, 12-42 and 12-57a of the general statutes, any person otherwise eligible for a 2011 grand list exemption pursuant to subdivision (76) of section 12-81 of the general statutes, in the town of Bloomfield, except that such person failed to file the required personal property declaration within the time period prescribed, shall be regarded as having filed said declaration in a timely manner if such person files said declaration not later than thirty days after the effective date of this section. Upon verification of the exemption eligibility of the machinery and equipment included in such declaration, the assessor shall approve the exemption for such property. If taxes have been paid on the property for which such exemption is approved, the town of Bloomfield shall reimburse such person in an amount equal to the amount by which such taxes exceed the taxes payable if the declaration had been filed in a timely manner.

Sec. 13. (*Effective from passage*) Notwithstanding the provisions of sections 12-41, 12-42 and 12-57a of the general statutes, any person otherwise eligible for a 2011 grand list exemption pursuant to subdivision (76) of section 12-81 of the general statutes, in the town of Seymour, except that such person failed to file the required personal property declaration within the time period prescribed, shall be regarded as having filed said declaration in a timely manner if such person files said declaration not later than thirty days after the effective date of this section. Upon verification of the exemption eligibility of the machinery and equipment included in such declaration, the assessor shall approve the exemption for such property. If taxes have been paid on the property for which such exemption is approved, the town of Seymour shall reimburse such person in an amount equal to the amount by which such taxes exceed the taxes payable if the declaration had been filed in a timely manner.

Sec. 14. Section 12-392 of the general statutes is repealed and the

following is substituted in lieu thereof (*Effective from passage*):

(a) (1) For the estates of decedents dying prior to July 1, 2009, the tax imposed by this chapter shall become due at the date of the taxable transfer and shall become payable, and shall be paid, without assessment, notice or demand, to the Commissioner of Revenue Services at the expiration of nine months from the date of death, and for the estates of decedents dying on or after July 1, 2009, the tax imposed by this chapter shall become due at the date of the taxable transfer and shall become payable and shall be paid, without assessment, notice or demand, to **[**said**]** the commissioner at the expiration of six months from the date of death. Executors, administrators, trustees, grantees, donees, beneficiaries and surviving joint owners shall be liable for the tax and for any interest or penalty thereon until it is paid, except that no executor, administrator, trustee, grantee, donee, beneficiary or surviving joint owner shall be liable for a greater sum than the value of the property actually received by him or her. If the amount of tax reported to be due on the return is not paid, for the estates of decedents dying prior to July 1, 2009, within such nine months, or for the estates of decedents dying on or after July 1, 2009, within such six months, there shall be imposed a penalty equal to ten per cent of such amount due and unpaid, or fifty dollars, whichever is greater. Such amount shall bear interest at the rate of one per cent per month or fraction thereof **[**,**]** from the due date of such tax until the date of payment. Subject to the provisions of section 12-3a, the commissioner may waive all or part of the penalties provided under this chapter when it is proven to **[**such**]** the commissioner's satisfaction that the failure to pay any tax was due to reasonable cause and was not intentional or due to neglect.

(2) The Commissioner of Revenue Services may, for reasonable cause shown, extend the time for payment. The commissioner may require the filing of a tentative return and the payment of the tax

reported to be due thereon in connection with such extension. Any additional tax which may be found to be due on the filing of a return as allowed by such extension shall bear interest at the rate of one per cent per month or fraction thereof from the original due date of such tax to the date of actual payment.

(3) Whenever there is an overpayment of the tax imposed by this chapter, the Commissioner of Revenue Services shall return to the fiduciary or transferee the overpayment which shall bear interest at the rate of two-thirds of one per cent per month or fraction thereof, **[**said**]** such interest commencing, for the estates of decedents dying prior to July 1, 2009, from the expiration of nine months after the death of the transferor or date of payment, whichever is later, or, for the estates of decedents dying on or after July 1, 2009, from the expiration of six months after the death of the transferor or date of payment, whichever is later.

(b) (1) The tax imposed by this chapter shall be reported on a tax return which shall be filed on or before the date fixed for paying the tax, determined without regard to any extension of time for paying the tax. The commissioner shall design a form of return and forms for such additional statements or schedules as **[**he**]** the commissioner may require to be filed. Such forms shall provide for the setting forth of such facts as the commissioner deems necessary for the proper enforcement of this chapter. **[**He**]** The commissioner shall cause a supply of such forms to be printed and shall furnish appropriate blank forms to each taxpayer upon application or otherwise as **[**he**]** the commissioner deems necessary. Failure to receive a form shall not relieve any person from the obligation to file a return under the provisions of this chapter. In any case in which the commissioner believes that it would be advantageous to him or her in the administration of the tax imposed by this chapter, the commissioner may require that a true copy of the federal estate tax return made to

the Internal Revenue Service be provided.

(2) Any tax return or other document, including any amended tax return under section 12-398, that is required to be filed under this chapter shall be filed, and shall be treated as filed, only if filed with both the Commissioner of Revenue Services and the court of probate for the district within which the decedent resided at the date of his or her death or, if the decedent died a nonresident of this state, in the court of probate for the district within which real estate or tangible personal property of the decedent is situated. The return shall contain a statement, to be signed under penalty of false statement by the person who is required to make and file the return under this chapter, that the return has been filed with both the Commissioner of Revenue Services and **[**said**]** the appropriate court of probate.

(3) (A) A tax return shall be filed, in the case of every decedent who died prior to January 1, 2005, and at the time of death was (i) a resident of this state, or (ii) a nonresident of this state whose gross estate includes any real property situated in this state or tangible personal property having an actual situs in this state, whenever the personal representative of the estate is required by the laws of the United States to file a federal estate tax return.

(B) A tax return shall be filed, in the case of every decedent who dies on or after January 1, 2005, but prior to January 1, 2010, and at the time of death was (i) a resident of this state, or (ii) a nonresident of this state whose gross estate includes any real property situated in this state or tangible personal property having an actual situs in this state. If the decedent's Connecticut taxable estate is over two million dollars, such tax return shall be filed with the Commissioner of Revenue Services and a copy of such return shall be filed with the court of probate for the district within which the decedent resided at the date of his or her death or, if the decedent died a nonresident of this state, the court of probate for the district within which such real property or tangible

personal property is situated. If the decedent's Connecticut taxable estate is two million dollars or less, such return shall be filed with the court of probate for the district within which the decedent resided at the date of his or her death or, if the decedent died a nonresident of this state, the court of probate for the district within which such real property or tangible personal property is situated, and no such return shall be filed with the Commissioner of Revenue Services. The judge of probate for the district in which such return is filed shall review each such return and shall issue a written opinion to the estate representative in each case in which the judge determines that the estate is not subject to tax under this chapter.

(C) A tax return shall be filed, in the case of every decedent who dies on or after January 1, 2010, but prior to January 1, 2011, and at the time of death was (i) a resident of this state, or (ii) a nonresident of this state whose gross estate includes any real property situated in this state or tangible personal property having an actual situs in this state. If the decedent's Connecticut taxable estate is over three million five hundred thousand dollars, such tax return shall be filed with the Commissioner of Revenue Services and a copy of such return shall be filed with the court of probate for the district within which the decedent resided at the date of his or her death or, if the decedent died a nonresident of this state, the court of probate for the district within which such real property or tangible personal property is situated. If the decedent's Connecticut taxable estate is three million five hundred thousand dollars or less, such return shall be filed with the court of probate for the district within which the decedent resided at the date of his or her death or, if the decedent died a nonresident of this state, the court of probate for the district within which such real property or tangible personal property is situated, and no such return shall be filed with the Commissioner of Revenue Services. The judge of probate for the district in which such return is filed shall review each such return and shall issue a written opinion to the estate representative in each

case in which the judge determines that the estate is not subject to tax under this chapter.

(D) A tax return shall be filed, in the case of every decedent who dies on or after January 1, 2011, and at the time of death was (i) a resident of this state, or (ii) a nonresident of this state whose gross estate includes any real property situated in this state or tangible personal property having an actual situs in this state. If the decedent's Connecticut taxable estate is over two million dollars, such tax return shall be filed with the Commissioner of Revenue Services and a copy of such return shall be filed with the court of probate for the district within which the decedent resided at the date of his or her death or, if the decedent died a nonresident of this state, the court of probate for the district within which such real property or tangible personal property is situated. If the decedent's Connecticut taxable estate is two million dollars or less, such return shall be filed with the court of probate for the district within which the decedent resided at the date of his or her death or, if the decedent died a nonresident of this state, the court of probate for the district within which such real property or tangible personal property is situated, and no such return shall be filed with the Commissioner of Revenue Services. The judge of probate for the district in which such return is filed shall review each such return and shall issue a written opinion to the estate representative in each case in which the judge determines that the estate is not subject to tax under this chapter.

(E) The duly authorized executor or administrator shall file the return. If there is more than one executor or administrator, the return shall be made jointly by all. If there is no executor or administrator appointed, qualified and acting, each person in actual or constructive possession of any property of the decedent is constituted an executor for purposes of the tax and shall make and file a return. If in any case the executor is unable to make a complete return as to any part of the

gross estate, the executor shall provide all the information available to him or her with respect to such property, including a full description, and the name of every person holding a legal or beneficial interest in the property. If the executor is unable to make a return as to any property, each person holding a legal or equitable interest in such property shall, upon notice from the commissioner, make a return as to that part of the gross estate.

(F) On or before the last day of the month next succeeding each calendar quarter, and commencing with the calendar quarter ending September 30, 2005, each court of probate shall file with the commissioner a report for the calendar quarter in such form as the commissioner may prescribe. The report shall pertain to returns filed with the court of probate during the calendar quarter.

(4) The Commissioner of Revenue Services may, for reasonable cause shown, extend the time for filing the return.

(5) If any person required to make and file the tax return under this chapter fails to file the return within the time prescribed, the commissioner may assess and compute the tax upon the best information obtainable. To the tax imposed upon the basis of such return, there shall be added an amount equal to ten per cent of such tax or fifty dollars, whichever is greater. The tax shall bear interest at the rate of one per cent per month or fraction thereof **[**,**]** from the due date of such tax until the date of payment.

(6) The commissioner shall provide notice of any (A) deficiency assessment with respect to the payment of any tax under this chapter, (B) assessment with respect to any failure to make and file a return under this chapter by a person required to file, and (C) tax return or other document, including any amended tax return under section 12-398 that is required to be filed under this chapter to the court of probate for the district within which the commissioner contends that

the decedent resided at the date of his or her death or, if the decedent died a nonresident of this state, to the court of probate for the district within which the commissioner contends that real estate or tangible personal property of the decedent is situated.

(c) No person shall be subject to a penalty under both subsections (a) and (b) of this section in relation to the same tax period.

Sec. 15. Deleted.

Sec. 16. Deleted.

Sec. 17. Deleted.

Sec. 18. Deleted.

Sec. 19. Deleted.

Sec. 20. Deleted.

Sec. 21. Deleted.

Sec. 22. Deleted.

Sec. 23. Deleted.

Sec. 24. Subsection (a) of section 46a-68 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) Each state agency, department, board and commission with twenty-five, or more, full-time employees shall develop and implement, in cooperation with the Commission on Human Rights and Opportunities, an affirmative action plan that commits the agency, department, board or commission to a program of affirmative action in all aspects of personnel and administration. Such plan shall be developed pursuant to regulations adopted by the Commission on

Human Rights and Opportunities in accordance with chapter 54 to ensure that affirmative action is undertaken as required by state and federal law to provide equal employment opportunities and to comply with all responsibilities under the provisions of sections 4-61u to 4-61w, inclusive, sections 46a-54 to 46a-64, inclusive, section 46a-64c and sections 46a-70 to 46a-78, inclusive. The executive head of each such agency, department, board or commission shall be directly responsible for the development, filing and implementation of such affirmative action plan. The Metropolitan District of Hartford County shall be deemed to be a state agency for purposes of this section and sections 4a-60, 4a-60a and 4a-60g.

Sec. 25. (NEW) (*Effective July 1, 2013*) (a) For purposes of this section, "Project Longevity Initiative" means a comprehensive community-based initiative that is designed to reduce gun violence in the state's cities and "secretary" means the Secretary of the Office of Policy and Management.

(b) Pursuant to the provisions of section 4-66a of the general statutes, the secretary shall (1) provide planning and management assistance to municipal officials in the city of New Haven in order to ensure the continued implementation of the Project Longevity Initiative in said city and the secretary may utilize state and federal funds as may be appropriated for such purpose; and (2) do all things necessary to apply for and accept federal funds allotted to or available to the state under any federal act or program which support the continued implementation of the Project Longevity Initiative in the city of New Haven.

(c) The secretary, or the secretary's designee, in consultation with the United States Attorney for the district of Connecticut, the Chief State's Attorney, the Commissioner of Correction, the executive director of the Court Support Services Division of the Judicial Branch, the mayors of the cities of Hartford and Bridgeport, and clergy

members, nonprofit service providers and community leaders from the cities of Hartford and Bridgeport, shall implement the Project Longevity Initiative in the cities of Hartford and Bridgeport.

(d) Pursuant to the provisions of section 4-66a of the general statutes, the secretary shall (1) provide planning and management assistance to municipal officials in the cities of Hartford and Bridgeport in order to ensure implementation of the Project Longevity Initiative in said cities and the secretary may utilize state and federal funds as may be appropriated for such purpose; and (2) do all things necessary to apply for and accept federal funds allotted to or available to the state under any federal act or program which will support implementation of the Project Longevity Initiative in the cities of Hartford and Bridgeport.

(e) The Secretary of the Office of Policy and Management may accept and receive on behalf of the office, subject to the provisions of section 4b-22 of the general statutes, any bequest, devise or grant made to the Office of Policy and Management to further the objectives of the Project Longevity Initiative and may hold and use such property for the purpose specified, if any, in such bequest, devise or gift.

(f) The secretary in consultation with the federal and state officials described in subsection (c) of this section shall create a plan for implementation of the Project Longevity Initiative on a state-wide basis.

Sec. 26. (NEW) (*Effective July 1, 2013*) (a) The Secretary of the State shall establish and maintain the eRegulations System, which shall consist of the regulations of Connecticut state agencies adopted by all state agencies subsequent to October 27, 1970. The Commission on Official Legal Publications shall, within available appropriations, provide any assistance requested by the Secretary of the State in the creation of the eRegulations System. On and after October 1, 2014, the

eRegulations System shall also include the official electronic regulation-making record described in section 4-168b of the general statutes, as amended by this act. On and after the date the Secretary of the State certifies the eRegulations System as sufficient pursuant to this section, the regulations of Connecticut state agencies maintained by the Secretary on said system shall be the official version of the regulations of Connecticut state agencies for all purposes, including all legal and administrative proceedings. The eRegulations System shall be easily accessible to and searchable by the public. The Secretary of the State may specify the format in which state agencies shall submit the final approved version of such regulations and all other documents required pursuant to this section and sections 4-167, 4-168, 4-170 and 4-172 of the general statutes, as amended by public act 12-92 and this act, and all state agencies shall follow the instructions of the Secretary of the State with respect to agency submissions to the Secretary. On and after July 1, 2013, the Secretary of the State shall post on the eRegulations System all effective regulations of Connecticut state agencies as provided by the Commission on Official Legal Publications. The Secretary of the State shall designate such posting as an unofficial version of the regulations of Connecticut state agencies until such time as the Secretary certifies in writing that the eRegulations System is technologically sufficient to serve as the official version of the regulations of Connecticut state agencies. Such certification shall be made on or before October 1, 2014, and shall be published on the Secretary's Internet web site and in the Connecticut Law Journal. Until such time as the Secretary makes such certification: (1) The Secretary, upon receipt of the certified electronic copy of an approved regulation in accordance with section 4-172 of the general statutes, as amended by this act, shall forward an electronic copy of such regulation to the Commission on Official Legal Publications for publication in accordance with this section, (2) the Commission on Official Legal Publications shall continue to publish the regulations of Connecticut state agencies, and (3) such published version shall be the

official version of said regulations.

(b) Each agency and quasi-public agency with regulatory authority shall post a conspicuous web site link to the eRegulations System on the agency's or quasi-public agency's Internet web site and shall, if practicable, link to the specific provisions of the regulations of Connecticut state agencies that concern the agency's or quasi-public agency's particular programs.

(c) Not later than January 1, 2014, the Secretary of the State shall develop and implement a plan to maintain a paper copy at the office of the Secretary of the State of all of the regulations of Connecticut state agencies posted on the eRegulations System.

Sec. 27. Section 4-167 of the general statutes, as amended by section 1 of public act 12-92, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013, and applicable to regulations noticed on and after said date*):

(a) In addition to other regulation-making requirements imposed by law, each agency shall: (1) Adopt as a regulation a description of its organization, stating the general course and method of its operations and the methods whereby the public may obtain information or make submissions or requests; (2) adopt as a regulation rules of practice setting forth the nature and requirements of all formal and informal procedures available provided such rules shall be in conformance with the provisions of this chapter; and (3) make available for public inspection, upon request, **[**paper**]** copies of all regulations and all other written statements of policy or interpretations formulated, adopted or used by the agency in the discharge of its functions, and all forms and instructions used by the agency.

(b) No agency regulation is enforceable against any person or party, nor may it be invoked by the agency for any purpose, until (1) it has

been made available for public inspection as provided in this section, and (2) the regulation or a notice of the adoption of the regulation has been published in the Connecticut Law Journal if noticed prior to July 1, 2013, or posted **[**online by the Secretary of the State**]** on the eRegulations System pursuant to section **[**4-173**]** 4-172, as amended by this act, and section 26 of this act, if noticed on or after July 1, 2013. This provision is not applicable in favor of any person or party who has actual notice or knowledge thereof. The burden of proving the notice or knowledge is on the agency.

Sec. 28. Section 4-168 of the general statutes, as amended by section 2 of public act 12-92, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013, and applicable to regulations noticed on and after said date*):

(a) Except as provided in subsections (f) and (g) of this section, an agency, not less than thirty days prior to adopting a proposed regulation, shall (1) give notice by **[**having the Secretary of the State post**]** posting a notice of its intended action **[**online**]** on the eRegulations System. The notice shall include (A) either a statement of the terms or of the substance of the proposed regulation or a description sufficiently detailed so as to apprise persons likely to be affected of the issues and subjects involved in the proposed regulation, (B) a statement of the purposes for which the regulation is proposed, (C) a reference to the statutory authority for the proposed regulation, (D) when, where and how interested persons may obtain a copy of the small business impact and regulatory flexibility analyses required pursuant to section 4-168a, and (E) when, where and how interested persons may present their views on the proposed regulation; (2) give notice electronically to each joint standing committee of the General Assembly having cognizance of the subject matter of the proposed regulation; (3) give notice electronically or provide a paper copy to all persons who have made requests to the agency for advance notice of

its regulation-making proceedings. The agency may charge a reasonable fee for such notice if not given electronically based on the estimated cost of providing the service; (4) provide a paper copy or electronic version of the proposed regulation to persons requesting it. The agency may charge a reasonable fee for paper copies in accordance with the provisions of section 1-212; and (5) prepare a fiscal note, including an estimate of the cost or of the revenue impact (A) on the state or any municipality of the state, and (B) on small businesses in the state, including an estimate of the number of small businesses subject to the proposed regulation and the projected costs, including but not limited to, reporting, recordkeeping and administrative, associated with compliance with the proposed regulation and, if applicable, the regulatory flexibility analysis prepared under section 4-168a. The governing body of any municipality, if requested, shall provide the agency, within twenty working days, with any information that may be necessary for analysis in preparation of such fiscal note. Except as provided in subsections (f) and (g) of this section, any such agency shall also: Afford all interested persons reasonable opportunity to submit data, views or arguments, orally at a hearing if granted under this subsection or in writing, and to inspect and copy or view online and print the fiscal note prepared pursuant to subdivision (5) of this subsection; grant an opportunity to present oral argument if requested by fifteen persons, by a governmental subdivision or agency or by an association having not less than fifteen members, if notice of the request is received by the agency not later than fourteen days after the date of posting of the notice by the **[**Secretary of the State**]** agency on the eRegulations System; and consider fully all written and oral submissions respecting the proposed regulation and revise the fiscal note prepared in accordance with the provisions of subdivision (5) of this subsection to indicate any changes made in the proposed regulation. **[**Not later than five calendar days after such agency submits such notice and documents to the Secretary of the State, the Secretary**]** On and after October 1, 2014, each agency shall post **[**the

notice and] all [accompanying] documents prepared by the agency pursuant to this subsection [online and] on the eRegulations System. Each agency shall electronically notify [all persons who have requested] and, if requested, provide a paper copy of such notice to any person who requests to be notified of any regulation-making proceedings. [Each agency shall also post the notice and all accompanying documents on its Internet web site.] No regulation shall be found invalid due to the failure of an agency to give notice to each committee of cognizance pursuant to subdivision (2) of this subsection, provided one such committee has been so notified.

(b) If an agency is required by a public act to adopt regulations, the agency, not later than five months after the effective date of the public act or by the time specified in the public act, shall post [online on its Internet web site] on the eRegulations System notice of its intent to adopt regulations. [and submit to the office of the Secretary of the State for posting online pursuant to subsection (a) of this section such notice.] If the agency fails to post the notice within such five-month period or by the time specified in the public act, the agency shall submit an electronic statement of its reasons for failure to do so to the Governor, the joint standing committee having cognizance of the subject matter of the regulations and the standing legislative regulation review committee and on and after October 1, 2014, post such statement on the eRegulations System. The agency shall submit the required regulations to the standing legislative regulation review committee, as provided in subsection (b) of section 4-170, as amended by this act, not later than one hundred eighty days after posting the notice of its intent to adopt regulations, or electronically submit a statement of its reasons for failure to do so to the committee.

(c) An agency may begin the regulation-making process under this chapter before the effective date of the public act requiring or permitting the agency to adopt regulations, but no regulation may take

effect before the effective date of such act.

(d) Upon reaching a decision on whether to proceed with the proposed regulation or to alter its text from that initially proposed, the agency, at least twenty days before submitting the proposed regulation to the standing legislative regulation review committee, shall (1) post on the **[**agency's Internet web site, (2) submit to the office of the Secretary of the State for posting online, and (3) either electronically mail or mail a paper copy**]** eRegulations System, and (2) send to all persons who have made submissions pursuant to subsection (a) of this section or who have made statements or oral arguments concerning the proposed regulation and who have requested notification, notice that it has decided to take action on the proposed regulation **[**and that it has posted on the agency's Internet web site**]** and has made available for copying and inspection pursuant to the Freedom of Information Act, as defined in section 1-200: (A) The final wording of the proposed regulation; (B) a statement of the principal reasons in support of its intended action; and (C) a statement of the principal considerations in opposition to its intended action as urged in written or oral comments on the proposed regulation and its reasons for rejecting such considerations.

(e) Except as provided in subsection (f) of this section, no regulation may be adopted, amended or repealed by any agency until it is (1) approved by the Attorney General as to legal sufficiency, as provided in section 4-169, as amended by this act, (2) approved by the standing legislative regulation review committee, as provided in section 4-170, as amended by this act, and (3) posted **[**online**]** on the eRegulations System by the office of the Secretary of the State, as provided in section 4-172, as amended by this act, and section 26 of this act.

(f) (1) An agency may proceed to adopt an emergency regulation in accordance with this subsection without prior notice or hearing or upon any abbreviated notice and hearing that it finds practicable if (A)

the agency finds that adoption of a regulation upon fewer than thirty days' notice is required (i) due to an imminent peril to the public health, safety or welfare or (ii) by the Commissioner of Energy and Environmental Protection in order to comply with the provisions of interstate fishery management plans adopted by the Atlantic States Marine Fisheries Commission or to meet unforeseen circumstances or emergencies affecting marine resources, (B) the agency states in writing its reasons for that finding, and (C) the Governor approves such finding in writing.

(2) The original of such emergency regulation and an electronic copy shall be submitted to the standing legislative regulation review committee in the form prescribed in subsection (b) of section 4-170, as amended by this act, together with a statement of the terms or substance of the intended action, the purpose of the action and a reference to the statutory authority under which the action is proposed, not later than ten days, excluding Saturdays, Sundays and holidays, prior to the proposed effective date of such regulation. The committee may approve or disapprove the regulation, in whole or in part, within such ten-day period at a regular meeting, if one is scheduled, or may upon the call of either chairman or any five or more members hold a special meeting for the purpose of approving or disapproving the regulation, in whole or in part. Failure of the committee to act on such regulation within such ten-day period shall be deemed an approval. If the committee disapproves such regulation, in whole or in part, it shall notify the agency of the reasons for its action. An approved regulation, posted **[**online**]** on the eRegulations System by the office of the Secretary of the State, may be effective for a period of not longer than one hundred twenty days renewable once for a period of not exceeding sixty days, provided notification of such sixty-day renewal is posted **[**online**]** on the eRegulations System by the office of the Secretary of the State and an electronic copy of such notice is sent to the committee, but the adoption of an identical regulation in

accordance with the provisions of subsections (a), (b) and (d) of this section is not precluded. The sixty-day renewal period may be extended an additional sixty days for emergency regulations described in subparagraph (A)(ii) of subdivision (1) of this subsection, provided the Commissioner of Energy and Environmental Protection requests of the standing legislative regulation review committee an extension of the renewal period at the time such regulation is submitted or not less than ten days before the first sixty-day renewal period expires and said committee approves such extension. Failure of the committee to act on such request within ten days shall be deemed an approval of the extension.

(3) If the necessary steps to adopt a permanent regulation, including the posting of notice of intent to adopt, preparation and submission of a fiscal note in accordance with the provisions of subsection (b) of section 4-170, as amended by this act, and approval by the Attorney General and the standing legislative regulation review committee, are not completed prior to the expiration date of an emergency regulation, the emergency regulation shall cease to be effective on that date.

(g) If an agency finds (1) that technical amendments to an existing regulation are necessary because of (A) the statutory transfer of functions, powers or duties from the agency named in the existing regulation to another agency, (B) a change in the name of the agency, (C) the renumbering of the section of the general statutes containing the statutory authority for the regulation, or (D) a correction in the numbering of the regulation, and no substantive changes are proposed, or (2) that the repeal of a regulation is necessary because the section of the general statutes under which the regulation has been adopted has been repealed and has not been transferred or reenacted, it may elect to comply with the requirements of subsection (a) of this section or may proceed without prior notice or hearing, provided the agency has posted such amendments to or repeal of a regulation on **[**its

Internet web site**]** the eRegulations System. Any such amendments to or repeal of a regulation shall be submitted in the form and manner prescribed in subsection (b) of section 4-170, as amended by this act, to the Attorney General, as provided in section 4-169, as amended by this act, and to the standing legislative regulation review committee, as provided in section 4-170, as amended by this act, for approval and upon approval shall be submitted to the office of the Secretary of the State for posting on the eRegulations System with, in the case of renumbering of sections only, a correlated table of the former and new section numbers.

(h) No regulation adopted after October 1, 1985, is valid unless adopted in substantial compliance with this section. A proceeding to contest any regulation on the ground of noncompliance with the procedural requirements of this section shall be commenced within two years from the effective date of the regulation.

Sec. 29. Section 4-168b of the general statutes, as amended by section 3 of public act 12-92, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2014, and applicable to regulations noticed on and after said date*):

(a) Each agency shall **[**maintain**]** create an official electronic regulation-making record that shall be retained on the eRegulations System for the period required by law for each regulation **[**it proposes**]** proposed in accordance with the provisions of section 4-168, as amended by this act. The regulation-making record and materials incorporated by reference in the record shall be available for public inspection and copying. **[**and when required under any provision of this chapter, posted on the Internet web site of the agency.**]**

(b) The **[**agency**]** regulation-making record shall contain: (1) **[**Copies of all notices of the**]** The agency's notice of intent to adopt regulations; **[**submitted to the office of the Secretary of the State; (2) a copy of**]** (2)

any written analysis prepared for the proceeding upon which the regulation is based, including the regulatory flexibility analyses required pursuant to section 4-168a; (3) all written petitions, requests, submissions, and comments received by the agency and considered by the agency in connection with the formulation, proposal or adoption of the regulation or the proceeding upon which the regulation is based; (4) the official transcript, if any, of proceedings upon which the regulation is based or, if not transcribed, any tape recording or stenographic record of such proceedings, and any memoranda prepared by any member or employee of the agency summarizing the contents of the proceedings; (5) **[**a copy of**]** all official documents relating to the regulation, including the regulation submitted to the office of the Secretary of the State in accordance with section 4-172, as amended by this act, a statement of the principal considerations in opposition to the agency's action, and the agency's reasons for rejecting such considerations, as required pursuant to section 4-168, as amended by this act, and the fiscal note prepared pursuant to subsection (a) of section 4-168, as amended by this act, and section 4-170, as amended by this act; (6) **[**a copy of**]** any petition for the regulation filed pursuant to section 4-174; and (7) **[**copies of**]** all comments or communications between the agency and the legislative regulation review committee. No audio recording of a hearing held pursuant to section 4-168, as amended by this act, shall be posted on the eRegulations System unless the Secretary of the State confirms that such posting will not constitute a violation of any state or federal law regarding accessibility for persons with disabilities. Any audio recording of a hearing held pursuant to section 4-168, as amended by this act, that is not posted on the eRegulations System shall be maintained by the agency and made available to the public upon request.

(c) The agency regulation-making record need not constitute the exclusive basis for agency action on that regulation or for judicial review thereof.

Sec. 30. Section 4-169 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2014, and applicable to regulations noticed on and after said date*):

No adoption, amendment or repeal of any regulation, except a regulation issued pursuant to subsection (f) of section 4-168, as amended by this act, shall be effective until the original of the proposed regulation and any revision of a regulation to be resubmitted to the standing legislative regulation review committee has been submitted electronically to the Attorney General by the agency proposing such regulation and approved by the Attorney General or by some other person designated by the Attorney General for such purpose. The review of such regulations by the Attorney General shall be limited to a determination of the legal sufficiency of the proposed regulation. If the Attorney General or the Attorney General's designated representative fails to give notice to the agency of any legal insufficiency within thirty days of the receipt of the proposed regulation, the Attorney General shall be deemed to have approved the proposed regulation for purposes of this section. The approval of the Attorney General shall be **[**indicated on the original of the proposed regulation which**]** provided to the agency electronically and shall be submitted electronically by the agency to the standing legislative regulation review committee. As used in this section "legal sufficiency" means (1) the absence of conflict with any general statute or regulation, federal law or regulation or the Constitution of this state or of the United States, and (2) compliance with the notice and hearing requirements of section 4-168, as amended by this act.

Sec. 31. Section 4-170 of the general statutes, as amended by sections 4 and 5 of public act 12-92, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2014, and applicable to regulations noticed on and after said date*):

(a) There shall be a standing legislative committee to review all

regulations of the several state departments and agencies following the proposal thereof, which shall consist of eight members of the House of Representatives, four from each major party, to be appointed on the first Wednesday after the first Monday in January in the odd-numbered years, by the speaker of said House, and six members of the Senate, three from each major party, to be appointed on or before said dates by the president pro tempore of the Senate. The members shall serve for the balance of the term for which they were elected. Vacancies shall be filled by appointment by the authority making the appointment. **[**The members of the committee shall elect from among their members two cochairpersons, one of whom shall be a member of the Senate and one of whom shall be a member of the House of Representatives, and either of whom**]** There shall be two cochairpersons, one of whom shall be a member of the Senate and one of whom shall be a member of the House of Representatives, each appointed by the applicable appointing authority, provided the cochairpersons shall not be members of the same political party and shall be from alternate parties in the respective houses in each successive term. For purposes of this section, "appointing authority" means the speaker or minority leader of the House of Representatives and the president pro tempore or minority leader of the Senate, as appropriate according to the respective house and party of the member to be appointed. Each chairperson may call meetings of the committee for the performance of its duties.

(b) (1) No adoption, amendment or repeal of any regulation, except a regulation issued pursuant to subsection (f) of section 4-168, as amended by this act, shall be effective until (A) the original and an electronic copy of the proposed regulation approved by the Attorney General, as provided in section 4-169, as amended by this act, and an electronic copy of the regulatory flexibility analyses as provided in section 4-168a **[**and an electronic copy thereof**]** are submitted to the standing legislative regulation review committee **[**at the designated

office of the committee,**]** in a manner designated by the committee, by the agency proposing the regulation, (B) the regulation is approved by the committee, at a regular meeting or a special meeting called for the purpose, and (C) a certified electronic copy of the regulation **[**and an electronic copy are**]** is submitted to the office of the Secretary of the State by the agency, as provided in section 4-172, as amended by this act, and the regulation is posted **[**online**]** on the eRegulations System by the Secretary. (2) The date of submission for purposes of subsection (c) of this section shall be the first Tuesday of each month. Any regulation received by the committee on or before the first Tuesday of a month shall be deemed to have been submitted on the first Tuesday of that month. Any regulation submitted after the first Tuesday of a month shall be deemed to be submitted on the first Tuesday of the next succeeding month. (3) The form of proposed regulations which are submitted to the committee shall be as follows: New language added to an existing regulation shall be **[**in capital letters or underlining, as determined by the committee**]** underlined; language to be deleted shall be enclosed in brackets and a new regulation or new section of a regulation shall be preceded by the word "(NEW)" in capital letters. Each proposed regulation shall have a statement of its purpose following the final section of the regulation. (4) The committee may permit any proposed regulation, including, but not limited to, a proposed regulation which by reference incorporates in whole or in part, any other code, rule, regulation, standard or specification, to be submitted in summary form together with a statement of purpose for the proposed regulation. On and after October 1, 1994, if the committee finds that a federal statute requires, as a condition of the state exercising regulatory authority, that a Connecticut regulation at all times must be identical to a federal statute or regulation, then the committee may approve a Connecticut regulation that by reference specifically incorporates future amendments to such federal statute or regulation provided the agency that proposed the Connecticut regulation shall submit for approval amendments to such Connecticut

regulations to the committee not later than thirty days after the effective date of such amendment, and provided further the committee may hold a public hearing on such Connecticut amendments. (5) The agency shall **[**append**]** attach a copy of the fiscal note, prepared pursuant to subsection (a) of section 4-168, as amended by this act, to each copy of the proposed regulation. At the time of submission to the committee, the agency shall submit an electronic copy of the proposed regulation and the fiscal note to (A) the Office of Fiscal Analysis which, not later than seven days after receipt, shall submit an analysis of the fiscal note to the committee; and (B) each joint standing committee of the General Assembly having cognizance of the subject matter of the proposed regulation. No regulation shall be found invalid due to the failure of an agency to submit **[**a**]** an electronic copy of the proposed regulation and the fiscal note to each committee of cognizance, provided such regulation and fiscal note **[**has**]** have been electronically submitted to one such committee.

(c) The committee shall review all proposed regulations and, in its discretion, may hold public hearings thereon, and may approve, disapprove or reject without prejudice, in whole or in part, any such regulation. If the committee fails to so approve, disapprove or reject without prejudice a proposed regulation, within sixty-five days after the date of submission as provided in subsection (b) of this section, the committee shall be deemed to have approved the proposed regulation for purposes of this section.

(d) If the committee disapproves a proposed regulation in whole or in part, it shall give notice of the disapproval and the reasons for the disapproval to the agency, and no agency shall thereafter issue any regulation or directive or take other action to implement such disapproved regulation or part thereof, as the case may be, except that the agency may adopt a substantively new regulation in accordance with the provisions of this chapter, provided the General Assembly

may reverse such disapproval under the provisions of section 4-171. If the committee disapproves any regulation proposed for the purpose of implementing a federally subsidized or assisted program, the General Assembly shall be required to either sustain or reverse the disapproval.

(e) If the committee rejects a proposed regulation without prejudice, in whole or in part, it shall notify the agency of the reasons for the rejection and the agency shall resubmit the regulation in revised form, if the adoption of such regulation is required by the general statutes or any public or special act, not later than the first Tuesday of the second month following such rejection without prejudice and may so resubmit any other regulation, in the same manner as provided in this section for the initial submission with a summary of revisions identified by paragraph. The committee shall review and take action on such revised regulation no later than thirty-five days after the date of submission, as provided in subsection (b) of this section. Posting of the notice **[**online**]** on the eRegulations System pursuant to the provisions of section 4-168, as amended by this act, shall not be required in the case of such resubmission.

(f) If an agency fails to submit any regulation approved in whole or in part by the standing legislative regulation review committee to the office of the Secretary of the State as provided in section 4-172, as amended by this act, not later than fourteen days after the date of approval, the agency shall notify the committee, not later than five days after such fourteen-day period, of its reasons for failing to submit such regulation. If any agency fails to comply with the time limits established under subsection (b) of section 4-168, as amended by this act, or under subsection (e) of this section, the administrative head of such agency shall submit to the committee a written explanation of the reasons for such noncompliance. The committee, upon the affirmative vote of two-thirds of its members, may grant an extension of the time

limits established under subsection (b) of section 4-168, as amended by this act, and under subsection (e) of this section. If no such extension is granted, the administrative head of the agency shall personally appear before the standing legislative regulation review committee, at a time prescribed by the committee, to explain such failure to comply. After any such appearance, the committee may, upon the affirmative vote of two-thirds of its members, report such noncompliance to the Governor. Within fourteen days thereafter the Governor shall report to the committee concerning the action the Governor has taken to ensure compliance with the provisions of section 4-168, as amended by this act, and with the provisions of this section.

Sec. 32. Section 4-172 of the general statutes, as amended by section 6 of public act 12-92, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2014, and applicable to regulations noticed on and after said date*):

(a) After approval of a regulation as required by sections 4-169, as amended by this act, and 4-170, as amended by this act, or after reversal of a decision of the standing legislative regulation review committee by the General Assembly pursuant to section 4-171, each agency shall submit to the office of the Secretary of the State a certified **[**copy and an**]** electronic copy of such regulation. **[**The**]** Concomitantly, the agency shall electronically file with **[**such**]** the electronic copy of the regulation a statement from the department head of such agency certifying that **[**such**]** the electronic copy of the regulation is a true and accurate copy of the regulation approved in accordance with sections 4-169, as amended by this act, and 4-170, as amended by this act. Each regulation when so electronically submitted shall be in the form **[**intended**]** prescribed by the Secretary of the State for posting **[**online**]** on the eRegulations System, and each section of the regulation shall include the appropriate regulation section number and a section heading. The Secretary of the State shall, not later than five calendar

days after the electronic submission by the agency, post each such regulation **[**online**]** on the eRegulations System.

(b) Each regulation hereafter adopted is effective upon its posting **[**online**]** on the eRegulations System by the Secretary of the State in accordance with this section, except that: (1) If a later date is required by statute or specified in the regulation, the later date is the effective date; (2) a regulation may not be effective before the effective date of the public act requiring or permitting the regulation; and (3) subject to applicable constitutional or statutory provisions, an emergency regulation becomes effective immediately upon electronic submission to the Secretary of the State, or at a stated date less than twenty days thereafter, if the agency finds that this effective date is necessary because of imminent peril to the public health, safety, or welfare. The agency's finding and a brief statement of the reasons therefor shall be submitted with the regulation. The agency shall take appropriate measures to make emergency regulations known to the persons who may be affected by them including, but not limited to, by posting such emergency regulations on the **[**agency's Internet web site**]** eRegulations System.

Sec. 33. Section 4-173 of the general statutes, as amended by section 7 of public act 12-92, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

[(a) The Secretary of the State shall post online a compilation of all effective regulations adopted by all state agencies subsequent to October 27, 1970, in a manner that is easily accessible to and searchable by the public.**]** The Secretary of the State may omit from **[**such compilation**]** the eRegulations System (1) any regulation that is incorporated by reference into a Connecticut regulation and published by or otherwise available in printed or electronic form from a federal agency or a government agency of another state, and (2) any regulation that is incorporated by reference into a Connecticut regulation and to

which a third party holds the intellectual property rights, until such time as the Secretary of the Office of Policy and Management obtains a licensing agreement in accordance with section 4-67q. **[**If**]** On and after October 1, 2014, if the Secretary of the State omits a regulation from the **[**compilation**]** eRegulations System, the Secretary shall **[**publish**]** post in the **[**compilation**]** system a notice identifying the omitted regulation, stating the general subject matter of the regulation and stating an address, telephone number, web site link, if applicable, and any other information needed to obtain a copy of the regulation. The Secretary of the State shall also provide a web site link, if applicable, to any regulation that is incorporated by reference into a Connecticut regulation. Such information shall be kept current and updated not less than quarterly.

[(b) All regulations posted online pursuant to subsection (a) of this section shall be accessible to the public and shall be the official version of the regulations of Connecticut state agencies for all purposes, including all legal and administrative proceedings. The Secretary of the State may adopt regulations, in accordance with the provisions of this chapter, specifying the format in which state agencies shall submit the final approved version of such regulations and all other documents required pursuant to this section and sections 4-167, 4-168, 4-170 and 4-172.**]**

Sec. 34. Section 17b-10 of the general statutes, as amended by section 9 of public act 12-92, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2014, and applicable to regulations noticed on and after said date*):

(a) The Department of Social Services shall prepare and routinely update state medical services and public assistance manuals. The pages of such manuals shall be consecutively numbered and indexed, containing all departmental policy regulations and substantive procedure, written in clear and concise language. Said manuals shall

be published by the department [, posted on the Internet web site of the department and distributed so that they are available to (1) all regional and subregional offices of the Department of Social Services; (2) each town hall in the state; (3) all legal assistance programs in the state; and (4) any interested member of the public who requests a copy] and, on or before October 1, 2014, be posted on the eRegulations System. Any updates of said manuals subsequent to October 1, 2014, shall be posted on the eRegulations System. All policy manuals of the department, as they exist on May 23, 1984, including the supporting bulletins but not including statements concerning only the internal management of the department and not affecting private rights or procedures available to the public, shall be construed to have been adopted as regulations in accordance with the provisions of chapter 54. After May 23, 1984, any policy issued by the department, except a policy necessary to conform to a requirement of a federal or joint federal and state program administered by the department, including, but not limited to, the state supplement program to the Supplemental Security Income Program, shall be adopted as a regulation in accordance with the provisions of chapter 54.

(b) The department shall adopt as a regulation in accordance with the provisions of chapter 54, any new policy necessary to conform to a requirement of an approved federal waiver application initiated in accordance with section 17b-8 and any new policy necessary to conform to a requirement of a federal or joint state and federal program administered by the department, including, but not limited to, the state supplement program to the Supplemental Security Income Program, but the department may operate under such policy while it is in the process of adopting the policy as a regulation, provided the [Department of Social Services] department posts such policy on [its Internet web site, submits such policy electronically to the Secretary of the State for posting online prior to adopting the policy and prints notice of intent to adopt the regulation in the Connecticut Law Journal

not later than twenty days after adopting the policy**]** the eRegulations System prior to adopting the policy. Such policy shall be valid until the time final regulations are effective.

(c) On and after July 1, 2004, the department shall submit proposed regulations that are required by subsection (b) of this section to the standing legislative regulation review committee, as provided in subsection (b) of section 4-170, as amended by this act, not later than one hundred eighty days after **[**publication**]** posting of the notice of its intent to adopt regulations on the eRegulations System. The department shall include with the proposed regulation a statement identifying (1) the date on which the proposed regulation became effective as a policy as provided in subsection (b) of this section, and (2) any provisions of the proposed regulation that are no longer in effect on the date of the submittal of the proposed regulation, together with a list of all policies that the department has operated under, as provided in subsection (b) of this section, that superseded any provision of the proposed regulation.

(d) In lieu of submitting proposed regulations by the date specified in subsection (c) of this section, the department may electronically submit to the legislative regulation review committee a notice not later than thirty-five days before such date that the department will not be able to submit the proposed regulations on or before such date and shall include in such notice (1) the reasons why the department will not submit the proposed regulations by such date, and (2) the date by which the department will submit the proposed regulations. The legislative regulation review committee may require the department to appear before the committee at a time prescribed by the committee to further explain such reasons and to respond to any questions by the committee about the policy. The legislative regulation review committee may request the joint standing committee of the General Assembly having cognizance of matters relating to human services to

review the department's policy, the department's reasons for not submitting the proposed regulations by the date specified in subsection (c) of this section and the date by which the department will submit the proposed regulations. Said joint standing committee may review the policy, such reasons and such date, may schedule a hearing thereon and may make a recommendation to the legislative regulation review committee.

(e) If amendments to an existing regulation are necessary solely to conform the regulation to amendments to the general statutes, and if the amendments to the regulation do not entail any discretion by the department, the department may elect to comply with the requirements of subsection (a) of section 4-168, as amended by this act, or may proceed without prior notice or hearing, provided the department has posted such amendments on **[**its Internet web site**]** the eRegulations System. Any such amendments to a regulation shall be submitted in the form and manner prescribed in subsection (b) of section 4-170, as amended by this act, to the Attorney General, as provided in section 4-169, as amended by this act, and to the committee, as provided in section 4-170, as amended by this act, for approval and upon approval shall be submitted to the office of the Secretary of the State for posting **[**online**]** on the eRegulations System in accordance with section 4-172, as amended by this act.

Sec. 35. Section 17b-423 of the general statutes, as amended by section 10 of public act 12-92, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2014, and applicable to regulations noticed on and after said date*):

[(a) The Department of Social Services shall prepare and routinely update a community services policy manual. The pages of such manual shall be consecutively numbered and indexed, containing all departmental policy regulations and substantive procedure. Such manual shall be published by the department, posted on the Internet

web site of the department and distributed so that it is available to all district, subdistrict and field offices of the Department of Social Services. The Department of Social Services shall adopt such policy manual in regulation form in accordance with the provisions of chapter 54.**]** The Department on Aging shall adopt regulations, in accordance with the provisions of chapter 54, to carry out the purposes, programs and services authorized pursuant to the Older Americans Act of 1965, as amended from time to time. The department may operate under any new policy necessary to conform to a requirement of a federal or joint state and federal program **[**. The department may operate under any new policy**]** while it is in the process of adopting the policy in regulation form, provided the **[**Department of Social Services**]** department posts such policy on **[**its Internet web site and submits such policy electronically to the Secretary of the State for posting online prior to adopting the policy and prints notice of intent to adopt the regulations in the Connecticut Law Journal**]** the eRegulations System not later than twenty days after adopting the policy. Such policy shall be valid until the time final regulations are effective.

[(b) The Department of Social Services shall write the community services policy manual using plain language as described in section 42-152. The manual shall include an index for frequent referencing and a separate section or manual which specifies procedures to follow to clarify policy.**]**

Sec. 36. (NEW) (*Effective July 1, 2013*) The Department of Social Services shall make technical and structural changes to the Uniform Policy Manual to conform to the numbering system, organization, form and style of the regulations of Connecticut state agencies. Notwithstanding the provisions of chapter 54 of the general statutes, the department may make such changes without complying with the provisions of said chapter concerning regulation-making proceedings.

The department shall submit such changes to the standing legislative regulations review committee for review in accordance with this section. Any review of such changes by said committee shall be limited to confirming that such changes are technical and structural in nature in accordance with this section. If the committee does not act in response to the department's submission not later than forty-five days after such submission, such changes shall be deemed approved. Upon approval, the department shall transmit a certified electronic copy of such changes to the Secretary of the State for the Secretary to post on the eRegulations System. At the time that the Secretary posts such changes on the eRegulations System, the corresponding sections of the Uniform Policy Manual shall be deemed superseded.

Sec. 37. Section 22a-471 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) (1) If the **[**commissioner**]** Commissioner of Energy and Environmental Protection determines that pollution of the groundwaters has occurred or can reasonably be expected to occur and the Commissioner of Public Health determines that the extent of pollution creates or can reasonably be expected to create an unacceptable risk of injury to the health or safety of persons using such groundwaters as a public or private source of water for drinking or other personal or domestic uses, the Commissioner of Energy and Environmental Protection **[**shall, within available appropriations, arrange for the short-term provision of potable drinking water to those residential buildings and elementary and secondary schools affected by such pollution until either he issues an order pursuant to this section requiring the provision of such short-term supply and the recipient complies with such order or a long-term supply of potable drinking water has been provided, whichever is earlier. In determining if pollution creates an unacceptable risk of injury, the Commissioner of Public Health shall balance all relevant and substantive facts and

inferences and shall not be limited to a consideration of available statistical analysis but shall consider all of the evidence presented and any factor related to human health risks. The commissioner**]** may issue an order to the person or municipality responsible for such pollution requiring that potable drinking water be provided to all persons affected by such pollution. In determining if pollution creates an unacceptable risk of injury, the Commissioner of Public Health shall balance all relevant and substantive facts and inferences and shall not be limited to a consideration of available statistical analysis but shall consider all of the evidence presented and any factor related to human health risks. If the **[**commissioner**]** Commissioner of Energy and Environmental Protection finds that more than one person or municipality is responsible for such pollution, **[**he**]** the commissioner shall attempt to apportion responsibility if **[**he**]** the commissioner determines that apportionment is appropriate. If **[**he**]** the commissioner does not apportion responsibility, all persons and municipalities responsible for the pollution of the groundwaters shall be jointly and severally responsible for the providing of potable drinking water to persons affected by such pollution. If the commissioner determines that the state or an agency or department of the state is responsible in whole or in part for the pollution of the groundwaters, such agency or department shall prepare or arrange for the preparation of an engineering report and shall provide or arrange for the provision of a long-term potable drinking water supply. If the commissioner is unable to determine the person or municipality responsible or if **[**he**]** the commissioner determines that the responsible persons have no assets other than land, buildings, business machinery or livestock and are unable to secure a loan at a reasonable rate of interest to provide potable drinking water, **[**he**]** the commissioner may prepare or arrange for the preparation of an engineering report and provide or arrange for the provision of a long-term potable drinking water supply or **[**he**]** the commissioner may issue an order to the municipality wherein groundwaters unusable for potable drinking

water are located requiring that short-term provision of potable drinking water be made to those existing residential buildings and elementary and secondary schools affected by such pollution and that long-term provision of potable drinking water be made to all persons affected by such pollution. For purposes of this section, "residential building" means any house, apartment, trailer, mobile manufactured home or other structure occupied by individuals as a dwelling, except a non-owner-occupied hotel or motel or a correctional institution.

(2) Any order issued pursuant to this section may require the provision of potable drinking water in such quantities as the commissioner determines are necessary for drinking and other personal and domestic uses and may require the maintenance and monitoring of potable water supply facilities for any period which the commissioner determines is necessary. In making such determinations, the commissioner shall consider the short-term and long-term needs for potable drinking water and the health and safety of those persons whose water supply is unusable. Any order may require the submission of an engineering report which shall be subject to the approval of the commissioner and the Commissioner of Public Health and include, but not be limited to, a description in detail of the problem, area and population affected by pollution of the groundwaters; the expected duration of and extent of the pollution; alternate solutions including relative cost of construction or installation, operation and maintenance; design criteria on all alternate solutions; and any other information which the commissioner deems necessary. Upon review of such report, the commissioner and the Commissioner of Public Health shall consider the nature of the pollution, the expected duration and extent of the pollution, the health and safety of the persons affected, the initial and ongoing cost-effectiveness and reliability of each alternative and any other factors which they deem relevant, and shall approve a system or method to provide potable drinking water pursuant to the order. Each order shall

include a time schedule for the accomplishment of the steps leading to the provision of potable drinking water. Notwithstanding the fact that a responsible party has been or may be identified or a request for a hearing on or a pending appeal from an order issued pursuant to this section, when pollution of the groundwaters has occurred or may reasonably be expected to occur, the commissioner may prepare or arrange for the preparation of an engineering report as described in this subdivision and may provide or arrange for the provision of a long-term potable drinking water supply. In any case where the state or an agency or department of the state is responsible in whole or in part for the pollution of the groundwaters, such agency or department shall prepare or arrange for the preparation of an engineering report and shall provide or arrange for the provision of a long-term potable drinking water supply, and if the state is not the sole responsible party, the commissioner shall seek reimbursement under subdivision (4) of subsection (b) of this section for the costs of such report and for the provision of potable water. The cost of the report and of the provision of a long-term potable drinking water supply, as funds allow, shall be paid from the proceeds of any bonds authorized for the provision of potable drinking water.

(3) The provisions of this section shall not affect the rights of any municipality to institute suit to recover all damages, expenses and costs incurred by the municipality from any responsible party, including, but not limited to, the costs specified in subparagraph (B)(i) and (ii) of subdivision (4) of subsection (b) of this section and, in the case of any municipality which is not responsible for the pollution of the groundwaters, the additional amounts specified in subparagraph (B)(iii) and (iv) of subdivision (4) of subsection (b) of this section.

(4) No provision of this section shall limit the liability of any person who or municipality which renders the groundwaters unusable for potable drinking water from a suit for damages by a person who or

municipality which relied on said groundwaters for potable drinking water prior to the determination by the commissioner that the groundwaters are polluted.

(5) The commissioner may issue any order pursuant to this section if the pollution of the groundwaters occurred before or after July 1, 1982.

(6) The commissioner may at any time require further action by any person to whom or municipality to which an order is issued pursuant to this section if **[**he**]** the commissioner determines that such action is necessary to protect the health and safety of those persons whose water supply was rendered unusable.

(b) (1) (A) Any municipality not responsible for the pollution of the groundwaters which is ordered to provide potable drinking water in accordance with subsection (a) of this section may apply to the commissioner for a grant as provided by this subsection. Except as provided in subparagraph (C) of subdivision (1) of this subsection and in subdivision (2) of this subsection, the commissioner shall make grants for the short-term provision of potable drinking water and the construction or installation of individual wells or individual water treatment systems, including, but not limited to, carbon absorption filters and shall make grants for other capital improvements for the long-term provision of potable drinking water from any bond authorization established for that purpose.

(B) The amount distributed to a municipality shall, as funds allow, equal one hundred per cent of the cost of short-term provision of potable drinking water, one hundred per cent of the cost of the engineering report required by this section, one hundred per cent of the cost of capital improvements for the most cost-effective long-term method of providing potable drinking water as determined by the commissioner and the Commissioner of Public Health upon consideration of such engineering report, and one hundred per cent of

the cost during the first five years of installation of monitoring and maintaining individual water treatment systems and monitoring drinking water wells located in an area where the commissioner determines that pollution of the groundwater is reasonably likely to occur. No state funds shall be distributed to a municipality for the cost of operating or maintaining any potable water supply facilities other than as specified in this subsection.

(C) Notwithstanding any provision of this subsection to the contrary, the commissioner may advance to a municipality, from the proceeds of any bonds authorized for the provision of potable drinking water, any percentage of the cost of short-term and long-term provision of potable drinking water which he deems necessary.

(2) (A) If the commissioner is unable to determine the person or municipality responsible for rendering the groundwaters unusable for potable drinking water or if **[**he**]** the commissioner determines that the responsible persons have no assets other than land, buildings, business machinery or livestock and are unable to secure a loan at a reasonable rate of interest to provide potable drinking water, a water company which has less than ten thousand customers and which owns, maintains, operates, manages, controls or employs a water supply well which is rendered unusable for potable drinking water, may apply to the commissioner for a grant from funds established pursuant to section 22a-451 or from the proceeds of any bonds authorized for the provision of potable drinking water. If, upon review of the engineering report required by this subsection to be submitted with an application for such a grant, the commissioner determines that a grant to a water company from available appropriations or from the proceeds of any bonds authorized for the provision of potable drinking water is appropriate, **[**he**]** the commissioner may make such a grant in accordance with regulations adopted by **[**him**]** the commissioner pursuant to subsection (e) of this section.

(B) The total amount distributed to a water company pursuant to this subsection shall, as funds allow, equal fifty per cent of the cost of the engineering report required by this subsection and fifty per cent of the cost of the most cost-effective long-term method of rendering the water supply in question usable for potable drinking water, as determined by the commissioner and the Commissioner of Public Health upon consideration of the required engineering report.

(C) For purposes of this section, "water company" and "customer" shall have the same meaning as specified in section 25-32a.

(D) Any water company applying for a grant pursuant to this section shall prepare or have prepared an engineering report which shall be subject to the approval of the commissioner and the Commissioner of Public Health and include, but not be limited to, a description in detail of the problem, area and population affected by pollution of the groundwaters; alternate solutions including relative cost of construction or installation, operation and maintenance; design criteria on all alternate solutions and any other information the commissioner deems necessary.

(3) (A) If a municipality or water company receives funding from a private source, a federal grant or another state grant for any cost for which a grant may be awarded pursuant to this section, the grant under this section shall equal the specified percentage of the costs specified in this subsection minus the amount of the other funding.

(B) If a municipality or water company receives a grant under this section and is compensated by a person who or municipality which is responsible for rendering the groundwaters unusable for potable drinking water, the municipality or water company shall reimburse the account from which the funds were made available for the grant as follows: If the compensation from the responsible party equals or exceeds the costs toward which the grant was to be applied, the

municipality or water company shall reimburse the total amount of the grant; if the compensation is less than the cost toward which the grant was to be applied, the municipality or water company shall reimburse a percentage of the compensation equal to the percentage of such costs paid by the grant.

(4) (A) Notwithstanding any request for a hearing or a pending appeal therefrom, if a person or municipality responsible for pollution of the groundwaters fails to comply with an order of the commissioner issued pursuant to this section, the municipality wherein such pollution is located may, after giving written notice of its intent to the commissioner and the responsible person or municipality, undertake the actions required by the order and seek reimbursement for the cost of such actions from the responsible person or municipality. If at any time after receipt of such a notice, the responsible party intends to comply with a step of the order which the municipality has not yet completed, the responsible party may do so with the written approval of the commissioner and municipality, provided the actions which the responsible party takes are consistent with those taken by the municipality.

(B) The commissioner may order any person or municipality responsible for pollution of the groundwaters to reimburse the state, a water company, and any municipality which is not responsible for pollution but received an order pursuant to this section or which did not receive such an order but voluntarily provided potable drinking water, for (i) the expenses each incurred in providing potable drinking water to any person affected by such pollution, provided the required reimbursement for such expenses shall not exceed the actual cost of short-term provision of potable drinking water and an amount equal to the reasonable cost of planning and implementing the most cost-effective long-term method of providing potable drinking water as determined by the commissioner and the Commissioner of Public

Health; (ii) costs for recovering such reimbursement; (iii) interest on the expenses specified in (i) at a rate of ten per cent a year from the date such expenses were paid; and (iv) reasonable attorney's fees. The commissioner may request the Attorney General to bring a civil action to recover any costs or expenses incurred by the commissioner pursuant to this subsection provided no such action may be brought later than ten years after the date of discovery of the pollution of public or private sources of water for drinking or other personal or domestic use.

(C) If a municipality fails to recover all expenses specified in subparagraph (B)(i) of subdivision (4) of this subsection from the responsible party, the municipality may apply to the commissioner for a grant in accordance with this subsection, provided the total amount of funds received from the commissioner and the responsible party shall not exceed the amounts specified in subparagraph (B) of subdivision (1) of subsection (b) of this section.

(5) For purposes of this section except subdivision (3) of subsection (a) and subparagraph (B)(ii) of subdivision (4) of this subsection, "cost" includes only those costs which the commissioner determines are necessary and reasonable, including, but not limited to, the cost of plans and specifications, construction or installation and supervision thereof.

(6) If any grant application is pending on June 7, 1994, and is approved by the commissioner, the percentage of costs to be paid by the grant shall be determined in accordance with this section. Any order pending on May 31, 1985, shall be construed in accordance with this section.

(7) Any person who or municipality which provides potable drinking water pursuant to this section may, with the approval of the commissioner, construct or install facilities beyond the areas included

in the order or facilities which are more costly than those which are determined to be most cost-effective, provided any request for a grant or reimbursement shall be limited to the amounts specified in this section.

(c) Any order issued under the provisions of this section shall be subject to the rights of any aggrieved person or municipality to a hearing before the commissioner as provided in section 22a-436, and appeal from the final determination of the commissioner to the Superior Court as provided in section 22a-437. The request for a hearing or pending appeal therefrom shall not constitute a condition which shall stay the commissioner from requesting that an injunction under the provisions of section 22a-6 or 22a-435, or a civil action to recover a forfeiture under the provisions of section 22a-438, be initiated by the Attorney General. The court shall issue an injunction requiring the recipient of the order to take the steps required by the order for short-term and long-term provision of potable drinking water unless such court determines that the issuance of the order was arbitrary. Notwithstanding any provision of the general statutes, a court shall not grant a stay from any order issued pursuant to this section on the grounds that an administrative appeal is pending. If it is thereafter determined by the Superior Court as the result of an appeal under the provisions of section 22a-437 that the commissioner acted arbitrarily, unreasonably or contrary to law in requiring a person or municipality to comply with an order the commissioner shall reimburse the person or municipality for the total costs which have been incurred from the funds established under section 22a-446.

(d) The commissioner shall not issue an order to any person pursuant to this section if the sole basis for the order is that such person is the owner of the land from which the source of pollution or potential source of pollution emanates.

(e) The commissioner may, in accordance with chapter 54, adopt

such regulations as **[**he**]** the commissioner deems necessary to carry out the provisions of this section, and shall adopt regulations for the provision of grants pursuant to this section which shall include criteria for eligibility for funds.

(f) (1) Notwithstanding the provisions of subsection (a) of this section, if the commissioner determines that a person whose actions have caused or can reasonably be expected to cause pollution of the groundwaters by the application of a pesticide (A) has properly applied the pesticide or arranged for a pesticide application which was properly performed, (B) was engaged in agriculture at the time the pesticide was applied and used the pesticide solely in the production of agricultural commodities, (C) has agreed to implement the plans specified in subdivision (2) of this subsection, and (D) maintained the records of the application of the pesticide as required by section 22a-58 and the records and plan identified in section 22a-471a, the commissioner shall not issue an order under subsection (a) of this section to the person engaged in agriculture, but may issue an order under said subsection (a) to another responsible person, including, but not limited to, the producer of the pesticide, requiring the short-term and long-term provision of potable drinking water in accordance with said subsection (a). The commissioner shall not issue an order under said subsection (a) to a person engaged in agriculture who did not maintain the records identified under section 22a-471a if said commissioner finds such records are not relevant to a determination of the party responsible for pollution of the groundwaters. If the commissioner is unable to determine the responsible person, **[**he**]** the commissioner may issue such order to the municipality wherein groundwaters unusable for potable drinking water are located.

(2) If the commissioner determines that a person engaged in agriculture has caused or can reasonably be expected to cause pollution of the groundwaters by pesticides, **[**he**]** the commissioner

may cause such person to submit to the commissioner and, upon approval by the commissioner, implement a plan to minimize the potential for groundwater contamination from the storage, handling and disposal of pesticides at the locations where such person engaged in agriculture.

(3) For the purposes of this subsection, a pesticide is properly applied if at the time of the application the pesticide was licensed by or registered with the state and federal government and was applied in a manner consistent with (A) the labeling of the pesticide, as defined in section 22a-47, (B) applicable state and federal statutes and regulations at the time of the application, (C) any approvals or recommendations of the federal, state or local government, including any limitations, warnings or conditions of such approvals or recommendations, and (D) generally accepted agricultural management practices at the time of application, considering any special geological, hydrological or soil conditions of which the farmer was aware or reasonably should have been aware.

(4) Any municipality which receives an order pursuant to subdivision (1) of this subsection shall be eligible for a grant from the state in accordance with subparagraph (1) of subsection (b) of this section.

(5) The provisions of this subsection shall apply to pollution of the groundwaters by pesticides discovered on or after May 26, 1988. All orders issued pursuant to this section by the commissioner prior to May 26, 1988, shall remain in effect unless the orders are otherwise revoked, amended or modified by said commissioner.

(6) Nothing in this subsection, section 22a-471a or section 22a-471b shall affect or limit any right of action of an individual against any person engaged in agriculture for injury to person or property resulting from the use of a pesticide.

(7) For purposes of this subsection, "pesticide" shall have the same meaning as specified in section 22a-47.

Sec. 38. (*Effective from passage*) The Office of the State Treasurer is authorized to pay, from the appropriation for debt service, fifty thousand dollars for outstanding bearer bonds from the 1956 issue of State of Connecticut Expressway Revenue and Motor Fuel Tax Bond - Greenwich Killingly Expressway, Second Series.

Sec. 39. Deleted.

Sec. 40. (*Effective July 1, 2013*) The sum of $500,000 of the amount appropriated in section 1 of this act to the Judicial Department, for Youth Violence Initiative, for the fiscal years ending June 30, 2014, and June 30, 2015, for the city of Hartford, shall be distributed as follows in each of said fiscal years: $375,000 for a grant to the Greater Hartford YMCA to work in collaboration with the Urban League of Greater Hartford and Hartford Communities that Care, on a Stop the Violence Increase the Peace youth collaborative, and $125,000 for a grant to the Blue Hills Civic Association Inc. to work in collaboration with the Connecticut Center for Nonviolence, on an Urban Youth Nonviolence Leadership and Intervention project.

Sec. 41. (NEW) (*Effective from passage*) Not later than June 30, 2014, the Department of Education shall adopt regulations, in accordance with the provisions of chapter 54 of the general statutes, as necessary to implement a fiscal accountability data collection report that will include all sources, amounts and uses of all public and private funds by school districts and by public schools, including public charter schools. The department shall report, not later than December 31, 2014, and annually thereafter, all such data as well as school size, student demographics, geography, cost-of-living indicators, and other factors determined by the department to the joint standing committee of the General Assembly having cognizance of matters relating to

appropriations and the budgets of state agencies and education in accordance with the provisions of section 11-4a of the general statutes.

Sec. 42. (NEW) (*Effective from passage*) (a) There is established a Results First Policy Oversight Committee. The committee shall advise on the development and implementation of the Pew-MacArthur Results First cost-benefit analysis model, with the overall goal of promoting cost effective policies and programming by the state.

(b) The committee shall consist of the following members:

(1) Four members of the General Assembly, one of whom shall be appointed by the speaker of the House of Representatives, one of whom shall be appointed by the president pro tempore of the Senate, one of whom shall be appointed by the minority leader of the House of Representatives, and one of who shall be appointed by the minority leader of the Senate;

(2) The Chief Court Administrator, or the Chief Court Administrator's designee;

(3) The Comptroller, or the Comptroller's designee;

(4) The director of the Office of Fiscal Analysis;

(5) The director of the Office of Program Review and Investigations;

(6) The director of the Office of Legislative Research;

(7) The director of the Institute for Municipal and Regional Policy at Central Connecticut State University;

(8) The executive director of the Commission on Children;

(9) A representative of private higher education, appointed by the Connecticut Conference of Independent Colleges;

(10) Two representatives of the Connecticut business community, one of whom shall be appointed by the majority leader of the House of Representatives, and one who shall be appointed by the majority leader of the Senate; and

(11) Such other members as the committee may prescribe.

(c) All appointments to the committee under subdivisions (1) to (11), inclusive, of subsection (b) of this section shall be made not later than thirty days after the effective date of this section. Any vacancy shall be filled by the appointing authority.

(d) A member of the General Assembly selected jointly by the speaker of the House of Representatives and the president pro tempore of the Senate shall be the chairperson of the committee. Such chairperson shall schedule the first meeting of the committee, which shall be held not later than sixty days after the effective date of this section.

(e) Members of the committee shall serve without compensation, except for necessary expenses incurred in the performance of their duties.

(f) Not later than October 1, 2013, and annually thereafter, the committee shall submit a report to the Governor and the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, in accordance with section 11-4a of the general statutes, recommending measures to implement the Pew-MacArthur Results First cost-benefit analysis model.

Sec. 43. Section 112 of public act 13-184 is amended to read as follows (*Effective from passage*):

Notwithstanding the provisions of section 4-28e of the general

statutes, up to $13,000,000 received by the state pursuant to the settlement of litigation resulting from the 1998 tobacco Master Settlement Agreement shall be deposited into a nonlapsing **[**fund**]** account to fund activity by the Office of the Attorney General and the Department of Revenue Services related to enforcement of such agreement. Funds from the account shall be made available in such amounts and at such times as determined by the Secretary of the Office of Policy and Management.

Sec. 44. Subsection (a) of section 1-301 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) (1) There shall be a Governmental Accountability Commission, within the Office of Governmental Accountability established under section 1-300, that shall consist of nine members as follows: (A) The chairperson of the Citizen's Ethics Advisory Board established under section 1-80, or the chairperson's designee; (B) the chairperson of the State Elections Enforcement Commission established under section 9-7a, or the chairperson's designee; (C) the chairperson of the Freedom of Information Commission established under section 1-205, or the chairperson's designee; (D) the executive director of the Judicial Review Council established under section 51-51k, or the executive director's designee; (E) the chairperson of the Judicial Selection Commission established under section 51-44a, or the chairperson's designee; (F) the chairperson of the Board of Firearms Permit Examiners established under section 29-32b, or the chairperson's designee; (G) the Child Advocate appointed under section 46a-13k, or the advocate's designee; (H) the Victim Advocate appointed under section 46a-13b, or the advocate's designee; and (I) the chairperson of the State Contracting Standards Board established under section 4e-2, or the chairperson's designee, provided no person serving as a designee under this subsection may be a state employee. The

Governmental Accountability Commission shall select a chairperson who shall preside at meetings of the commission. Said commission shall meet for the purpose of making recommendations to the Governor for candidates for the executive administrator of the Office of Governmental Accountability pursuant to the provisions of subsection (b) of this section, or for the purpose of terminating the employment of the executive administrator.

(2) The commission established under subdivision (1) of this subsection shall not be construed to be a board or commission within the meaning of section 4-9a.

Sec. 45. (NEW) (*Effective from passage*) Not later than January 1, 2014, and quarterly thereafter until January 1, 2016, the Commissioner of Education shall submit a report concerning programs developed by local and regional boards of education regarding talent development and the implementation of state-wide education standards adopted by the State Board of Education to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies and education, in accordance with the provisions of section 11-4a of the general statutes. Such report shall include the following: (1) Identification of the performance measures, indicators and standards that are used to evaluate such programs, (2) the status of such programs based on such performance measures, indicators and standards, (3) the status of the hiring of and certification of program evaluators, (4) the number of and locations of such program evaluators, and (5) an accounting of the personnel and financial status of such programs.

Sec. 46. Subsection (a) of section 4-67x of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) There shall be a Child Poverty and Prevention Council consisting

of the following members or their designees: The Secretary of the Office of Policy and Management, the president pro tempore of the Senate, the speaker of the House of Representatives, the minority leader of the Senate and the minority leader of the House of Representatives, the Commissioners of Children and Families, Social Services, Correction, Developmental Services, Mental Health and Addiction Services, Transportation, Public Health, Education and Economic and Community Development, the Labor Commissioner, the Chief Court Administrator, the chairperson of the Board of Regents for Higher Education, the Child Advocate **[**, the chairperson of the Children's Trust Fund Council**]** and the executive directors of the Commission on Children and the Commission on Human Rights and Opportunities. The Secretary of the Office of Policy and Management, or the secretary's designee, shall be the chairperson of the council. The council shall (1) develop and promote the implementation of a ten-year plan, to begin June 8, 2004, to reduce the number of children living in poverty in the state by fifty per cent, and (2) within available appropriations, establish prevention goals and recommendations and measure prevention service outcomes in accordance with this section in order to promote the health and well-being of children and families.

Sec. 47. Section 17b-751 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) There is established a Children's Trust Fund, the resources of which shall be used by **[**the council established pursuant to subsection (b) of this section and**]** the Commissioner of Social Services **[**with the advice of the Children's Trust Fund Council**]** to fund programs aimed at preventing child abuse and neglect and family resource programs. Said fund is intended to be in addition to those resources that would otherwise be appropriated by the state for programs aimed at preventing child abuse and neglect and family resource programs. The **[**Children's Trust Fund Council and the**]** commissioner may apply for

and accept any federal funds which are available for a Children's Trust Fund and shall administer such funds in the manner required by federal law. The fund shall receive money from grants and gifts made pursuant to section 17a-18. The **[**Children's Trust Fund Council and the**]** commissioner may solicit and accept funds, on behalf of the Children's Trust Fund, to be used for the prevention of child abuse and neglect and family resource programs. The Commissioner of Social Services **[**, with the advice of the Children's Trust Fund Council,**]** shall adopt regulations, in accordance with the provisions of chapter 54, to administer the fund and to set eligibility requirements for programs seeking funding. Youth service bureaus may receive funds from the Children's Trust Fund.

[(b) There shall be established, within existing resources, a Children's Trust Fund Council which shall be within the Department of Social Services. The council shall be composed of sixteen members as follows: (1) The Commissioners of Social Services, Education, Children and Families and Public Health, or their designees; (2) a representative of the business community with experience in fund-raising, appointed by the president pro tempore of the Senate; (3) a representative of the business community with experience in fund-raising, appointed by the speaker of the House of Representatives; (4) a representative of the business community with experience in fund-raising, appointed by the minority leader of the House of Representatives; (5) a representative of the business community with experience in fund-raising, appointed by the minority leader of the Senate; (6) a parent, appointed by the majority leader of the House of Representatives; (7) a parent, appointed by the majority leader of the Senate; (8) a parent, appointed by the president pro tempore of the Senate; (9) a person with expertise in child abuse prevention, appointed by the speaker of the House of Representatives; (10) a person with expertise in child abuse prevention, appointed by the minority leader of the House of Representatives; (11) a staff member of

a child abuse prevention program, appointed by the minority leader of the Senate; (12) a staff member of a child abuse prevention program, appointed by the majority leader of the House of Representatives; and (13) a pediatrician, appointed by the majority leader of the Senate. The council shall solicit and accept funds, on behalf of the Children's Trust Fund, to be used for the prevention of child abuse and neglect and family resource programs, and shall make grants to programs pursuant to subsection (a) of this section.**]**

[(c)**]** (b) On or before July 1, 2010, and annually thereafter, the **[**Children's Trust Fund Council and the**]** commissioner shall report, in accordance with the provisions of section 11-4a, to the Governor and the joint standing committees of the General Assembly having cognizance of matters relating to human services, public health and education concerning the source and amount of funds received by the Children's Trust Fund, and the manner in which such funds were administered and disbursed.

Sec. 48. Section 17b-751a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

A grandparent or other relative caregiver who is appointed a guardian of a child or children through the Superior Court and who is not a recipient of subsidized guardianship subsidies under section 17a-126 or foster care payments from the Department of Children and Families shall, within available appropriations, be eligible to apply for grants under the Kinship Fund and Grandparents and Relatives Respite Fund administered by **[**the Children's Trust Fund Council and**]** the Department of Social Services through the Probate Court.

Sec. 49. Section 17b-751d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The Department of Social Services shall be the lead state agency

for community-based, prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect. **[**, in collaboration with the Children's Trust Fund Council, established pursuant to section 17b-751.**]** The responsibilities of the department shall include, but not be limited to, collaborating with state agencies, hospitals, clinics, schools and community service organizations, **[**with the guidance of the Children's Trust Fund Council, established pursuant to section 17b-751,**]** to: (1) Initiate programs to support families at risk for child abuse or neglect; (2) assist organizations to recognize child abuse and neglect; (3) encourage community safety; (4) increase broad-based efforts to prevent child abuse and neglect; (5) create a network of agencies to advance child abuse and neglect prevention; and (6) increase public awareness of child abuse and neglect issues. The department, **[**with the guidance of the Children's Trust Fund Council and**]** subject to available state, federal and private funding, shall be responsible for implementing and maintaining programs and services, including, but not limited to: (A) The Nurturing Families Network, established pursuant to subsection (a) of section 17b-751b, as amended by this act; (B) Family Empowerment Initiative programs; (C) Help Me Grow; (D) the Kinship Fund and Grandparent's Respite Fund; (E) Family School Connection; (F) support services for residents of a respite group home for girls; (G) legal services on behalf of indigent children; (H) volunteer services; (I) family development training; (J) shaken baby syndrome prevention; and (K) child sexual abuse prevention.

(b) Not later than sixty days after October 5, 2009, the Commissioner of Social Services shall report, in accordance with section 11-4a, to the joint standing committees of the General Assembly, having cognizance of matters relating to human services and appropriations and the budgets of state agencies on the integration of the duties described in subsection (a) of this section into the department.

Sec. 50. Section 17b-751b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The **[**Children's Trust Fund Council**]** executive director of the Office of Early Childhood shall establish the structure for a state-wide system for a Nurturing Families Network, which demonstrates the benefits of preventive services by significantly reducing the abuse and neglect of infants and by enhancing parent-child relationships through hospital-based assessment with home outreach follow-up on infants and their families within families identified as high risk.

(b) The **[**Children's Trust Fund Council**]** executive director of the Office of Early Childhood shall: (1) Develop the comprehensive risk assessment to be used by the Nurturing Families Network's providers; (2) develop the training program, standards, and protocols for the pilot programs; and (3) develop, issue and evaluate requests for proposals to procure the services required by this section. In evaluating the proposals, the **[**Children's Trust Fund Council**]** executive director shall take into consideration the most effective and consistent service delivery system allowing for the continuation of current public and private programs.

(c) The **[**Children's Trust Fund Council**]** executive director of the Office of Early Childhood shall establish a data system to enable the programs to document the following information in a standard manner: (1) The level of screening and assessment; (2) profiles of risk and family demographics; (3) the incidence of child abuse and neglect; (4) rates of child development; and (5) any other information the **[**Children's Trust Fund Council**]** commissioner deems appropriate.

(d) The **[**Children's Trust Fund Council**]** executive director shall report to the General Assembly, in accordance with the provisions of section 11-4a, on the establishment, implementation and progress of the Nurturing Families Network, on January first and July first, of each

year.

Sec. 51. Section 51-193r of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

Each commissioner of the Superior Court shall receive, for acting as a magistrate in accordance with the provisions of sections 51-193t and 51-193u the sum of **[**one hundred fifty**]** two hundred dollars for each day he is engaged as a magistrate.

Sec. 52. Subsection (a) of section 46a-13k of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) There is established, within the Office of Governmental Accountability established under section 1-300, an Office of the Child Advocate. The Governor, with the approval of the General Assembly, shall appoint a person with knowledge of the child welfare system and the legal system to fill the Office of the Child Advocate. Such person shall be qualified by training and experience to perform the duties of the office as set forth in section 46a-13*l*. Upon any vacancy in the position of Child Advocate, the advisory committee established pursuant to section 46a-13r shall meet to consider and interview successor candidates and shall submit to the Governor a list of not fewer than **[**five**]** three and not more than **[**seven**]** five of the most outstanding candidates, not later than sixty days after the occurrence of said vacancy, except that upon any vacancy in said position occurring after January 1, 2012, but before June 15, 2012, the advisory committee shall submit such list to the Governor on or before July 31, 2012. Such list shall rank the candidates in the order of committee preference. Not later than eight weeks after receiving the list of candidates from the advisory committee, the Governor shall designate a candidate for Child Advocate from among the choices on such list. If at any time any of the candidates withdraw from consideration prior

to confirmation by the General Assembly, the designation shall be made from the remaining candidates on the list submitted to the Governor. If, not later than eight weeks after receiving the list, the Governor fails to designate a candidate from the list, the candidate ranked first shall receive the designation and be referred to the General Assembly for confirmation. If the General Assembly is not in session, the designated candidate shall serve as acting Child Advocate and be entitled to the compensation, privileges and powers of the Child Advocate until the General Assembly meets to take action on said appointment. The person appointed Child Advocate shall serve for a term of four years and may be reappointed or shall continue to hold office until such person's successor is appointed and qualified. Upon any vacancy in the position of Child Advocate and until such time as a candidate has been confirmed by the General Assembly or, if the General Assembly is not in session, has been designated by the Governor, the Associate Child Advocate shall serve as the acting Child Advocate and be entitled to the compensation, privileges and powers of the Child Advocate.

Sec. 53. (*Effective from passage*) (a) Not later than May 31, 2014, the Chief Court Administrator shall assess the effectiveness of programs maintained by the Court Support Services Division within the Judicial Branch with respect to family violence, including, but not limited to, the pretrial family violence education program established in section 46b-38c of the general statutes and the EVOLVE and EXPLORE programs. Such assessment shall consider findings from the Pew-MacArthur Results First Initiative's cost-benefit analysis model with respect to such programs. After conducting such assessment, the Chief Court Administrator shall determine whether any program changes may be implemented to improve the cost-effectiveness of such programs.

(b) Not later than June 30, 2014, the Chief Court Administrator shall

submit a report, in accordance with section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the judiciary that (1) describes such assessment, (2) identifies any program changes implemented by the division as a result of such assessment, and (3) makes any recommendations that the Chief Court Administrator deems appropriate concerning statutory or program changes that may improve the cost-effectiveness of such programs.

Sec. 54. (*Effective from passage*) (a) Not later than May 31, 2014, the Commissioner of Correction shall assess the effectiveness of each program maintained by the Department of Correction specifically for persons convicted of a family violence crime, as defined in section 46b-38a of the general statutes, who are committed to the custody of the Commissioner of Correction. Such assessment shall consider findings from the Pew-MacArthur Results First Initiative's cost-benefit analysis model with respect to such programs. After conducting such assessment, the Commissioner of Correction shall determine whether any program changes may be implemented to improve the cost-effectiveness of such programs.

(b) Not later than June 30, 2014, Commissioner of Correction shall submit a report, in accordance with section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the judiciary that (1) describes such assessment, (2) identifies any program changes implemented by the Department of Correction as a result of such assessment, and (3) makes any recommendations that the Commissioner of Correction deems appropriate concerning statutory or program changes that may improve the cost-effectiveness of such programs.

Sec. 55. Subsection (j) of section 45a-82 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July*

1, 2013):

(j) There shall be transferred from time to time from the Probate Court Administration Fund such budgeted amounts as are established in accordance with section 45a-85 or such expenditures as are authorized pursuant to subsection (c) of section 45a-84 for the proper administration of each court of probate. Notwithstanding any provision of the general statutes, on June 30, **[**2011**]** 2013, and annually thereafter, any **[**surplus funds**]** balance in the Probate Court Administration Fund in excess of an amount equal to fifteen per cent of the total expenditures authorized pursuant to subsection (a) of section 45a-84 for the immediately succeeding fiscal year shall be transferred to the General Fund.

Sec. 56. (NEW) (*Effective from passage*) (a) Not later than October 31, 2013, the Department of Energy and Environmental Protection, in consultation with the Department of Public Health, shall conduct an assessment of the practices employed at The University of Connecticut Plant Science Research and Education Facility. Such assessment shall include, but need not be limited to: (1) An examination of the procedures for the storage and application of pesticides at said facility, (2) a review of the protocols used to ensure the safe application of pesticides, including, but not limited to, any pesticide that requires an experimental use permit issued by the United States Environmental Protection Agency, and (3) an evaluation of the water testing regimen at said facility, including, but not limited to, a review of the timing, locations and types of such testing, the number of wells subject to such testing and the types of pesticides identified by such testing.

(b) Not later than February 1, 2014, the Departments of Energy and Environmental Protection and Public Health shall submit to the joint standing committee of the General Assembly having cognizance of matters relating to the environment any recommendations for legislation or revised practices at said facility that the departments

determine are necessary as a result of the assessment conducted pursuant to subsection (a) of this section.

Sec. 57. (*Effective July 1, 2013*) (a) Up to $100,000 of the amount appropriated in section 1 of this act to The University of Connecticut, for Operating Expenses, for the fiscal year ending June 30, 2014, shall be transferred to the Department of Energy and Environmental Protection, for Other Expenses, for the fiscal year ending June 30, 2014, for the purpose of performing an investigation into the quality of groundwater flow in bedrock.

(b) The University of Connecticut and the Department of Energy and Environmental Protection shall enter into a memorandum of understanding to effectuate the purpose of subsection (a) of this section.

Sec. 58. Subsection (c) of section 2-71c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(c) The legislative Office of Fiscal Analysis shall assist the General Assembly and the Legislative Department, legislative commissions and legislative committees in a research and advisory capacity as follows: (1) Reviewing department and program operating budget requests; (2) analyzing and helping to establish priorities with regard to capital programs; (3) checking executive revenue estimates for accuracy; (4) recommending potential untapped sources of revenue; (5) assisting in legislative hearings and helping to schedule and prepare the agenda of such hearings; (6) assisting in the development of means by which budgeted programs can be periodically reviewed; (7) preparing short analyses of the costs and long-range projections of executive programs and proposed agency regulations; (8) keeping track of federal aid programs to make sure that Connecticut is taking full advantage of opportunities for assistance; (9) reviewing, on a

continuous basis, departmental budgets and programs; (10) analyzing and preparing critiques of the Governor's proposed budget; (11) studying, in depth, selected executive programs during the interim; (12) performing such other services in the field of finance as may be requested by the Joint Committee on Legislative Management; (13) preparing the fiscal notes, required under section 2-24, upon favorably reported bills which require expenditure of state or municipal funds or affect state or municipal revenue; and (14) preparing at the end of each fiscal year a compilation of all fiscal notes on legislation and agency regulations taking effect in the next fiscal year, including the total costs, savings and revenue effects estimated in such notes. **[**; and (15) every second and fourth year after the effective date of each enacted bill, review the fiscal note of such bill to compare it to the fiscal note prepared at the time such bill was enacted.**]** The governing body of any municipality, if requested, shall provide the Office of Fiscal Analysis, within two working days, with any information that may be necessary for analysis in preparation of such fiscal notes. Each officer, board, commission or department of the state government shall assist the Office of Fiscal Analysis in carrying out its duties and, if requested, shall make its records and accounts available to the office in a timely manner, except that where there are statutory requirements of confidentiality with regard to such records and accounts, the identity of any person to whom such records or accounts relate shall not be disclosed.

Sec. 59. Subsections (a) to (c), inclusive, of section 10-183v of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) Except as provided in subsection (b) of this section, a teacher receiving retirement benefits from the system may not be employed in a teaching position receiving compensation paid out of public money appropriated for school purposes except that such teacher may be

employed in such a position and receive no more than forty-five per cent of the maximum salary level for the assigned position. Any teacher who receives in excess of such amount shall reimburse the board for the amount of such excess. Notice of such employment shall be sent to the board by the employer and by the retired teacher at the time of hire and at the end of each assignment.

(b) A teacher receiving retirement benefits from the system may be reemployed for up to one full school year by a local board of education, the State Board of Education or by any constituent unit of the state system of higher education in a position (1) designated by the Commissioner of Education as a subject shortage area, or (2) at a school located in a school district identified as a priority school district, pursuant to section 10-266p, for the school year in which the teacher is being employed. Notice of such reemployment shall be sent to the board by the employer and by the retired teacher at the time of hire and at the end of the assignment. Such reemployment may be extended for an additional school year, provided the local board of education (A) submits a written request for approval to the Teachers' Retirement Board, (B) certifies that no qualified candidates are available prior to the reemployment of such teacher, and (C) indicates the type of assignment to be performed, the anticipated date of rehire and the expected duration of the assignment.

(c) The employment of a teacher under **[**subsection**]** subsections (a) and (b) of this section shall not be considered as service qualifying for continuing contract status under section 10-151 and the salary of such teacher shall be fixed at an amount at least equal to that paid other teachers in the same school system with similar training and experience for the same type of service. Upon approval by the board of such employment under subsection (b) of this section, such teacher shall be eligible for the same health insurance benefits provided to active teachers employed by such school system. No benefits shall be

paid under section 10-183t, while such teacher is employed by such system.

Sec. 60. (*Effective July 1, 2013*) The Commissioners of Social Services, Mental Health and Addiction Services and Correction, the Secretary of the Office of Policy and Management and the executive director of the Court Support Services Division of the Judicial Branch are authorized to develop a plan to provide supportive housing services, including necessary housing rental subsidies, for an additional one hundred sixty individuals and families identified as frequent users of expensive state services during the fiscal years ending June 30, 2014, and June 30, 2015, and to enter into memoranda of understanding to reallocate, within existing appropriations, the necessary support and housing resources for said purpose.

Sec. 61. Section 1-139a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The financial assets of the Connecticut Institute for Municipal Studies are transferred to the Connecticut State University System for the purposes of the Institute for Municipal and Regional Policy **[**at the Center for Public Policy and Practical Politics**]** at Central Connecticut State University. The records, files, intellectual property rights and copyright rights of the Connecticut Institute for Municipal Studies are transferred to the Institute for Municipal and Regional Policy **[**at the Center for Public Policy and Practical Politics**]** at Central Connecticut State University.

Sec. 62. Section 16-233 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

Each town, city, borough, fire district or the Department of Transportation shall have the right to occupy and use for **[**municipal and state signal wires**]** <u>any purpose</u>, without payment therefor, one

gain upon each public utility pole or in each underground communications duct system installed by a public service company within the limits of any such town, city, borough or district. The location or relocation of any such gain shall be prescribed by the Public Utilities Regulatory Authority. Any such gain shall be reserved for use by the town, city, borough, fire district or the Department of Transportation.

Sec. 63. Section 10a-142 of the general statutes, as amended by section 93 of public act 13-3, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) There are established special police forces for The University of Connecticut at Storrs and its several campuses, The University of Connecticut Health Center in Farmington, Central Connecticut State University in New Britain, Southern Connecticut State University in New Haven, Eastern Connecticut State University in Willimantic and Western Connecticut State University in Danbury. The members of each special police force shall have the same duties, responsibilities and authority under sections 7-281, 14-8, 54-1f and 54-33a and title 53a as members of a duly organized local police department. The jurisdiction of said special police forces shall extend to the geographical limits of the property owned or under the control of the above institutions, and to property occupied by The University of Connecticut in the town of Mansfield, except as provided in subsection (b) of section 7-277a.

(b) Members of said special police forces shall continue to be state employees and **[**, except as provided in subsection (e) of this section,**]** shall be subject to the provisions of chapter 67, and parts III and IV of this chapter. The provisions of part V of chapter 104 and section 7-433c shall not apply to such members.

(c) Said special police forces shall have access to, and use of, the

Connecticut on-line law enforcement communications teleprocessing system without charge.

(d) The chief executive officer of any institution listed in subsection (a) of this section which maintains a special police force may enter into an agreement with one or more of said other institutions which maintain a special police force to furnish or receive police assistance under the same conditions and terms specified in subsection (a) of section 7-277a.

[(e) (1) Notwithstanding any provision of chapter 67, the Board of Regents for Higher Education shall determine (A) the preliminary requirements, including educational qualifications, for members of the special police forces for the state colleges, and (B) the timeline for filling any vacancies on any of such special police forces, including, but not limited to, when an examination for a vacant position shall occur and how soon after the examination is conducted shall an appointment to a vacant position be made or, in the event an examination for a vacant position is unnecessary due to a sufficient candidate list provided in accordance with section 5-215a, when an appointment of a candidate from such candidate list shall be made.

(2) Notwithstanding any provision of chapter 67, the Board of Trustees of The University of Connecticut shall determine (A) the preliminary requirements including educational qualifications, for members of the special police force for The University of Connecticut, and (B) the timeline for filling any vacancies on such police force, including, but not limited to, when an examination for a vacant position shall occur and how soon after the examination is conducted shall an appointment to a vacant position be made or, in the event an examination for a vacant position is unnecessary due to a sufficient candidate list provided in accordance with section 5-215a, when an appointment of a candidate from such candidate list shall be made.**]**

Sec. 64. Section 54-144 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

Any expenses necessarily incurred in any criminal proceeding or prosecution, except such expenses as are incurred by the Division of Criminal Justice, when approved by the court in which the proceeding or prosecution is had, shall be paid in the same manner as are other expenses of maintenance of the court. The court may allow the payment of any fees charged by such court by means of a credit card, charge card or debit card and may charge the person making such payment a service fee for any such payment made by any such card. The fee shall not exceed any charge by the card issuer, including any discount rate.

Sec. 65. (NEW) (*Effective July 1, 2013*) Each court of probate may allow the payment of any fees charged by such court by means of a credit card, charge card or debit card and may charge the person making such payment a service fee for any such payment made by any such card. The fee shall not exceed any charge by the card issuer, including any discount rate.

Sec. 66. Subsection (b) of section 12-587 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(b) (1) Except as otherwise provided in subdivision (2) of this subsection, any company which is engaged in the refining or distribution, or both, of petroleum products and which distributes such products in this state shall pay a quarterly tax on its gross earnings derived from the first sale of petroleum products within this state. Each company shall on or before the last day of the month next succeeding each quarterly period render to the commissioner a return on forms prescribed or furnished by the commissioner and signed by the person performing the duties of treasurer or an authorized agent or

officer, including the amount of gross earnings derived from the first sale of petroleum products within this state for the quarterly period and such other facts as the commissioner may require for the purpose of making any computation required by this chapter. Except as otherwise provided in subdivision (3) of this subsection, the rate of tax shall be (A) five per cent with respect to calendar quarters prior to July 1, 2005; (B) five and eight-tenths per cent with respect to calendar quarters commencing on or after July 1, 2005, and prior to July 1, 2006; (C) six and three-tenths per cent with respect to calendar quarters commencing on or after July 1, 2006, and prior to July 1, 2007; (D) seven per cent with respect to calendar quarters commencing on or after July 1, 2007, and prior to July 1, 2013; and (E) eight and one-tenth per cent with respect to calendar quarters commencing on or after July 1, 2013.

(2) Gross earnings derived from the first sale of the following petroleum products within this state shall be exempt from tax: (A) Any petroleum products sold for exportation from this state for sale or use outside this state; (B) the product designated by the American Society for Testing and Materials as "Specification for Heating Oil D396-69", commonly known as number 2 heating oil, to be used exclusively for heating purposes or to be used in a commercial fishing vessel, which vessel qualifies for an exemption pursuant to section 12-412; (C) kerosene, commonly known as number 1 oil, to be used exclusively for heating purposes, provided delivery is of both number 1 and number 2 oil, and via a truck with a metered delivery ticket to a residential dwelling or to a centrally metered system serving a group of residential dwellings; (D) the product identified as propane gas, to be used exclusively for heating purposes; (E) bunker fuel oil, intermediate fuel, marine diesel oil and marine gas oil to be used in any vessel having a displacement exceeding four thousand dead weight tons; (F) for any first sale occurring prior to July 1, 2008, propane gas to be used as a fuel for a motor vehicle; (G) for any first sale occurring on or after

July 1, 2002, grade number 6 fuel oil, as defined in regulations adopted pursuant to section 16a-22c, to be used exclusively by a company which, in accordance with census data contained in the Standard Industrial Classification Manual, United States Office of Management and Budget, 1987 edition, is included in code classifications 2000 to 3999, inclusive, or in Sector 31, 32 or 33 in the North American Industrial Classification System United States Manual, United States Office of Management and Budget, 1997 edition; (H) for any first sale occurring on or after July 1, 2002, number 2 heating oil to be used exclusively in a vessel primarily engaged in interstate commerce, which vessel qualifies for an exemption under section 12-412; (I) for any first sale occurring on or after July 1, 2000, paraffin or microcrystalline waxes; (J) for any first sale occurring prior to July 1, 2008, petroleum products to be used as a fuel for a fuel cell, as defined in subdivision (113) of section 12-412; (K) a commercial heating oil blend containing not less than ten per cent of alternative fuels derived from agricultural produce, food waste, waste vegetable oil or municipal solid waste, including, but not limited to, biodiesel or low sulfur dyed diesel fuel; **[**or**]** (L) for any first sale occurring on or after July 1, 2007, diesel fuel other than diesel fuel to be used in an electric generating facility to generate electricity; or (M) propane gas to be used as a fuel for a school bus.

(3) The rate of tax on gross earnings derived from the first sale of grade number 6 fuel oil, as defined in regulations adopted pursuant to section 16a-22c, to be used exclusively by a company which, in accordance with census data contained in the Standard Industrial Classification Manual, United States Office of Management and Budget, 1987 edition, is included in code classifications 2000 to 3999, inclusive, or in Sector 31, 32 or 33 in the North American Industrial Classification System United States Manual, United States Office of Management and Budget, 1997 edition, or number 2 heating oil used exclusively in a vessel primarily engaged in interstate commerce,

which vessel qualifies for an exemption under section 12-412 shall be: (A) Four per cent with respect to calendar quarters commencing on or after July 1, 1998, and prior to July 1, 1999; (B) three per cent with respect to calendar quarters commencing on or after July 1, 1999, and prior to July 1, 2000; (C) two per cent with respect to calendar quarters commencing on or after July 1, 2000, and prior to July 1, 2001; and (D) one per cent with respect to calendar quarters commencing on or after July 1, 2001, and prior to July 1, 2002.

Sec. 67. (NEW) (*Effective October 1, 2013*) Any person, firm or corporation that employs, or contracts with, a person to be a competitor in a mixed martial arts match conducted pursuant to chapter 532a of the general statutes shall be liable for any health care costs incurred by such competitor for the diagnosis, care and treatment of any injury, illness, disease or condition resulting from or caused by such competitor's participation in such match for the duration of such injury, illness, disease or condition.

Sec. 68. Subsection (a) of section 8-3e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) No zoning regulation shall treat the following in a manner different from any single family residence: (1) Any community residence that houses six or fewer persons with intellectual disability and necessary staff persons and that is licensed under the provisions of section 17a-227, (2) any child-care residential facility that houses six or fewer children with mental or physical disabilities and necessary staff persons and that is licensed under sections 17a-145 to 17a-151, inclusive, **[**or**]** (3) any community residence that houses six or fewer persons receiving mental health or addiction services and necessary staff persons paid for or provided by the Department of Mental Health and Addiction Services and that has been issued a license by the Department of Public Health under the provisions of section 19a-491, if

a license is required, or (4) any hospice facility, including a hospice residence, that provides inpatient hospice care and services to six or fewer persons and is licensed to provide such services by the Department of Public Health, provided such facility is (A) managed by an organization that is tax exempt under Section 501(c)(3) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended; (B) located in a city with a population of more than one hundred thousand and within a zone that allows development on one or more acres; and (C) served by public sewer and water.

Sec. 69. Subsection (f) of section 12-157 of the general statutes, as amended by section 5 of substitute senate bill 820 of the current session, as amended by senate amendment schedules A and B, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013, and applicable to assessment years commencing on or after said date*):

(f) Within sixty days after such sale, the collector shall cause to be published in a newspaper having a daily general circulation in the town in which the real property is located, and shall send by certified mail, return receipt requested, to the delinquent taxpayer and each mortgagee, lienholder and other record encumbrancer whose interest in such property is affected by such sale, a notice stating the date of the sale, the name and address of the purchaser, the amount the purchaser paid for the property and the date the redemption period will expire. The notice shall include a statement that if redemption does not take place by the date stated and in the manner provided by law, the delinquent taxpayer, and all mortgagees, lienholders and other record encumbrancers who have received actual or constructive notice of such sale as provided by law, that their respective titles, mortgages, liens and other encumbrances in such property shall be extinguished. Not later than six months after the date of the sale or within sixty days if

the property was abandoned or meets other conditions established by ordinance adopted by the legislative body of the town, if the delinquent taxpayer, mortgagee, lienholder or other record encumbrancer whose interest in the property will be affected by such sale, pays or tenders to the collector, the amount of taxes, interest and charges which were due and owing at the time of the sale together with interest on the total purchase price paid by the purchaser at the rate of eighteen per cent per annum from the date of such sale, or at any rate **[**up to**]** not less than fifteen per cent per annum nor more than eighteen per cent per annum from the date of such sale in a municipality that has adopted the provisions of section 3 of **[**this act**]** substitute senate bill 820 of the current session, as amended by senate amendment schedules A and B, such deed, executed pursuant to subsection (e) of this section, shall be delivered to the collector by the town clerk for cancellation and the collector shall provide a certificate of satisfaction to the person paying or tendering the money who, if not the person whose primary duty it was to pay the tax or taxes, shall have a claim against the person whose primary duty it was to pay such tax or taxes for the amount so paid, and may add the same to any claim for which he has security upon the property sold, provided the certificate of satisfaction is recorded on the land records but the interests of other persons in the property shall not be affected. Within ten days of receipt of such amounts in redemption of the levied property, the collector shall notify the purchaser by certified mail, return receipt requested, that the property has been redeemed and shall tender such payment, together with the amount held pursuant to subparagraph (A) of subdivision (1) of subsection (i) of this section, if any, to the purchaser. If the purchase money and interest are not paid within such redemption period, the deed shall be recorded and have full effect.

Sec. 70. Section 42-133bb of the general statutes, as amended by section 65 of substitute house bill 6360 of the current session, as

amended by house amendment schedule A, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Notwithstanding the terms, provisions or conditions of any franchise agreement or other agreement between a manufacturer or distributor and a dealer, no manufacturer or distributor shall require that a dealer:

(1) Order or accept delivery of any new motor vehicle, part or accessory, equipment or any other commodity not required by law in connection with warranty service or a recall campaign or voluntarily ordered by the dealer, except that the provisions of this subdivision shall not affect terms or provisions of a franchise requiring dealers to market a representative line of motor vehicles which the manufacturer or distributor is publicly advertising;

(2) Order or accept delivery of any new motor vehicle with special features, accessories or equipment not included in the list price of such motor vehicles as publicly advertised by the manufacturer or distributor;

(3) Pay all or part of the cost of an advertising campaign or contest, or purchase any promotional materials, training material, showroom or other display decorations or materials at the expense of the new motor vehicle dealer without the consent of the new motor vehicle dealer;

(4) Enter into any agreement with the manufacturer or distributor or do any other act prejudicial to the dealer under threat of termination or cancellation of a franchise or agreement between the dealer and the manufacturer or distributor, except that this subdivision shall not preclude the manufacturer or distributor from insisting on compliance with the reasonable terms or provisions of the franchise or agreement, and notice in good faith to any dealer of the dealer's violation of such

terms or provisions shall not constitute a violation of sections 42-133r to 42-133ee, inclusive;

(5) Change the capital structure of the dealer or the means by which the dealer finances the operation of the dealership provided the dealer meets reasonable capital standards established by the manufacturer or distributor in accordance with uniformly applied criteria, and provided further that no change in the capital structure shall cause a change in the principal management or have the effect of a sale of the franchise without the consent of the manufacturer or distributor and such consent shall not be unreasonably withheld;

(6) Refrain from participation in the management of, investment in, or acquisition of any other line of new motor vehicles or related products, provided this subdivision shall not apply unless the dealer maintains a reasonable line of credit for each line make of new motor vehicle, the dealer remains in compliance with any reasonable facilities requirements of the manufacturer or distributor, and no change is made in the principal management of the dealer;

(7) Prospectively assent to a release, assignment, novation, waiver or estoppel which would relieve any person from liability to be imposed by sections 42-133r to 42-133ee, inclusive, or require any controversy between a dealer and a manufacturer or distributor, to be referred to any forum other than the Superior Court or the United States District Court;

(8) Construct, renovate or make substantial alterations to the dealer's facilities unless the manufacturer or distributor can demonstrate that such construction, renovation or alteration requirements are reasonable and justifiable in light of current and reasonably foreseeable projections of economic conditions, financial expectations, availability of additional vehicle allocation and such dealer's market for the sale of vehicles. **[;]**

[(9) Purchase goods or services including, but not limited to, vehicle battery charging stations, from a vendor chosen by the manufacturer or distributor if substantially similar items of like appearance, function and quality are available from other sources, provided the provisions of this subdivision shall not be construed to (A) allow a dealer to impair or eliminate the intellectual property rights of the manufacturer or distributor, or (B) permit the dealer to erect or maintain signs that do not conform to the intellectual property usage guidelines of the manufacturer or distributor.**]**

Sec. 71. Subsection (a) of section 32-1o of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) On or before July 1, **[**2009**]** 2015, and every **[**five**]** four years thereafter, the Commissioner of Economic and Community Development, within available appropriations, shall prepare an economic development strategic plan for the state in consultation with the Secretary of the Office of Policy and Management, the Commissioners of Energy and Environmental Protection and Transportation, the Labor Commissioner, the chairperson of the Culture and Tourism Advisory Committee, the executive directors of the Connecticut Housing Finance Authority, Connecticut Innovations, Incorporated, and the Connecticut Health and Educational Facilities Authority, or their respective designees, and any other agencies the Commissioner of Economic and Community Development deems appropriate.

Sec. 72. (*Effective July 1, 2013*) Connecticut Innovations, Incorporated, shall develop a plan to facilitate the growth of bioscience and pharmaceutical businesses in southeastern Connecticut and shall consult with the Commissioner of Economic and Community Development to ensure that such plan is aligned with the state's economic development strategy as it relates to bioscience. Connecticut

Innovations, Incorporated, shall expend not more than fifty thousand dollars to develop such plan. On or before January 1, 2014, the chief executive officer of Connecticut Innovations, Incorporated, shall submit such plan to the Governor, the Commissioner of Economic and Community Development and the joint standing committee of the General Assembly having cognizance of matters relating to commerce, in accordance with the provisions of section 11-4a of the general statutes.

Sec. 73. (*Effective July 1, 2013*) The Commissioner of Administrative Services, in consultation with The University of Connecticut and other agencies or entities selected by the commissioner, shall study the feasibility of including carbon footprint data as factors in the award of state contracts. Such data shall include, but not be limited to: (1) The distance that bidders and proposers shall travel to perform under the contract; (2) the potential fuel consumption of bidders and proposers in the performance of the contract; and (3) the potential environmental impact and pollution created by the transportation of goods and services required to perform the contract. On or before February 1, 2014, the Commissioner of Administrative Services shall report, in accordance with the provisions of section 11-4a of the general statutes, the results of such study to the joint standing committee of the General Assembly having cognizance of matters relating to government administration.

Sec. 74. (NEW) (*Effective October 1, 2013*) The Commissioner of Mental Health and Addiction Services shall establish and implement a pilot program to assist alcohol-dependent persons who are discharged from hospitals in the New Haven region. Such program shall provide to such persons assistance with obtaining outpatient treatment services and community support services, including housing. Said commissioner may enter into a contract for services to administer such program.

Sec. 75. (*Effective July 1, 2013*) Up to $150,000 of the unexpended balance of funds appropriated in section 67 of public act 11-61, as amended by section 1 of public act 12-104 and section 1 of public act 12-1 of the June 12 special session, to the Department of Energy and Environmental Protection, for Environmental Conservation, shall not lapse on June 30, 2013, and such funds shall be available in the amount of $75,000 in each of the fiscal years ending June 30, 2014, and June 30, 2015, for a grant to the Long Island Sound Assembly, in accordance with the provisions of section 25-155 of the general statutes.

Sec. 76. (*Effective July 1, 2013*) The following amounts appropriated in section 1 of this act to the Office of Policy and Management, for Youth Services Prevention, for each of the fiscal years ending June 30, 2014, and June 30, 2015, shall be made available in each of said fiscal years for the following grants: $42,177 to Communities That Care; $42,177 to Supreme Being, Inc.; $42,177 to Windsor Police Department Partnership Collaboration; $42,177 to Hartford Knights; $42,177 to Ebony Horsewomen, Inc.; $81,104 to Boys and Girls Clubs of Southeastern Connecticut; $396,661 to Compass Youth Collaborative Peacebuilders Program; $43,740 to Artist Collective; $43,740 to Wilson-Gray YMCA; $43,740 to Joe Young Studios; $50,000 to Believe in Me Inc; $341,339 to Institute for Municipal and Regional Policy; $30,446 to Solar Youth New Haven; $100,000 to Dixwell Summer Stream - Dixwell United Church of Christ; $85,303 to Town of Manchester Youth Service Bureau Diversion Program; $85,303 to East Hartford Youth Task Force Youth Outreach; $67,163 to City of Bridgeport Office of Revitalization; $67,163 to Walter E. Luckett, Jr. Foundation; $134,326 to Bridgeport PAL; $44,775 to Regional Youth Adult Social Action Partnership; $44,775 to Save Our Youth of Connecticut; $44,775 to Action for Bridgeport Community Development; $67,163 to Gang Resistance Education Training (Captain Roderick Porter); $67,163 to Family Re-entry Inc. (Fresh Start Program); $134,326 to The Village Initiative Project, Inc.; $125,000 to Yerwood Center; $45,994 to Boys

and Girls Club of Stamford; $100,000 to Chester Addison Community Center; $25,000 to Neighborhood Links Stamford; $60,357 to River-Memorial Foundation, Inc.; $60,357 to Hispanic Coalition of Greater Waterbury, Inc.; $60,357 to Police Activity League, Inc. (Long Hill Rec. Center); $60,357 to Willow Plaza Center; $60,357 to Boys and Girls Club of Greater Waterbury; $60,357 to W.O.W. (Walnut Orange Wood) NRZ Learning Center; $211,584 to Serving All Vessels Equally; $100,000 to Human Resource Agency of New Britain, Inc.; $45,000 to Pathways Senderos; $20,000 to Prudence Crandell of New Britain; $45,000 to OIC of New Britain; $23,715 to Nurturing Families Network (New Britain); $150,652 to City of Meriden Police Department; and $64,579 to North End Action Team.

Sec. 77. (NEW) (*Effective July 1, 2013*) The Comptroller may develop and implement a plan to allow nonstate public employees, as defined in section 3-123aaa of the general statutes, to participate in the Health Enhancement program established in accordance with the provisions of the Revised SEBAC Agreement, approved by the General Assembly on August 22, 2011, for state employees. The Comptroller may adopt regulations in accordance with the provisions of chapter 54 of the general statutes to implement the provisions of this section.

Sec. 78. Subsection (c) of section 11 of public act 13-184 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(c) The Secretary of the Office of Policy and Management shall recommend reductions in **[**Judicial Department**]** judicial branch expenditures for the fiscal years ending June 30, 2014, and June 30, 2015, in order to reduce such expenditures in the General Fund by $401,946 during each such fiscal year.

Sec. 79. Subsection (c) of section 12 of public act 13-184 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(c) The Secretary of the Office of Policy and Management shall recommend reductions in **[**Judicial Department**]** judicial branch expenditures for Personal Services, for the fiscal years ending June 30, 2014, and June 30, 2015, in order to reduce such expenditures by $1,128,261 during the fiscal year ending June 30, 2014, and by $3,434,330 during the fiscal year ending June 30, 2015.

Sec. 80. Subsection (c) of section 49 of public act 13-184 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(c) The Secretary of the Office of Policy and Management shall recommend reductions in **[**Judicial Department**]** judicial branch Other Expenses expenditures for the fiscal years ending June 30, 2014, and June 30, 2015, in order to reduce such expenditures in the General Fund by $548,000 during each such fiscal year.

Sec. 81. Section 49-10 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 15, 2013*):

(a) As used in this section, "mortgage debt" means a debt or other obligation secured by mortgage, assignment of rent or assignment of interest in a lease.

(b) Whenever any mortgage debt is assigned by an instrument in writing containing a sufficient description to identify the mortgage, assignment of rent or assignment of interest in a lease, given as security for the mortgage debt, and that assignment has been executed, attested and acknowledged in the manner prescribed by law for the execution, attestation and acknowledgment of deeds of land, the title held by virtue of the mortgage, assignment of rent or assignment of interest in a lease, shall vest in the assignee. An instrument substantially in the following form is sufficient for such assignment:

Know all Men by these Presents, That .... of .... in the county of .... and state of .... does hereby grant, bargain, sell, assign, transfer and set

over a certain (mortgage, assignment of rent or assignment of interest in a lease) from .... to .... dated .... and recorded in the records of the town of .... county of .... and state of Connecticut, in book .... at page ....

In Witness Whereof .... have hereunto set .... hand and seal, this .... day of .... A.D. ....

Signed, sealed and delivered

in the presence of

(SEAL)

(Acknowledged)

(c) In addition to the requirements of subsection (b) of this section, whenever an assignment of any residential mortgage loan (1) made by a lending institution organized under the laws of or having its principal office in any other state, and (2) secured by mortgage on residential real estate located in this state is made in writing, the instrument shall contain the name and business or mailing address of all parties to such assignment.

(d) If a mortgage debt is assigned, a party obliged to pay such mortgage debt may discharge it, to the extent of the payment, by paying the assignor until the party obliged to pay receives sufficient notice in accordance with subsection (f) of this section that the mortgage debt has been assigned and that payment is to be made to the assignee. In addition to such notice, if requested by the party obliged to pay, the assignee shall furnish reasonable proof that the assignment has been made, and until the assignee does so, the party obliged to pay may pay the assignor. For purposes of this subsection, "reasonable proof" means (1) written notice of assignment signed by both the assignor and the assignee, (2) a copy of the assignment instrument, or (3) other proof of the assignment as agreed to by the

party obliged to pay such mortgage debt.

(e) If a mortgage debt is assigned, a party obliged to pay such mortgage debt who, in good faith and without sufficient notice of the assignment in accordance with subsection (f) of this section, executes with the assignor a modification or extension of the mortgage, assignment of rent or assignment of interest in a lease, shall have the benefit of such modification or extension, provided, the assignee shall acquire corresponding rights under the modified or extended mortgage, assignment of rent or assignment of interest in a lease. The assignment may provide that modification or extension of the mortgage, assignment of rent or assignment of interest in a lease, signed by the assignor after execution of the assignment, is a breach by the assignor of the assignor's contract with the assignee.

(f) Notice of assignment is sufficient for purposes of subsections (d) and (e) of this section if the assignee notifies a party obliged to pay the mortgage debt (1) by mailing to the party obliged to pay, at the party's last billing address, a notice of the assignment identifying the instrument and mortgage debt assigned, the party obliged to pay such debt, the names of the assignor and assignee, the date of the assignment, and the name and address of the person to whom payments should be made, (2) by giving notice of the assignment pursuant to 12 USC Section 2605, Section 6 of the federal Real Estate Settlement Procedures Act of 1974 and the regulations promulgated pursuant to said section, as from time to time amended, or (3) by giving actual notice of the assignment, reasonably identifying the rights assigned, in any other manner. No signature on any such notice is necessary to give sufficient notice of the assignment under this subsection and such notice may include any other information.

(g) Recordation of an assignment of mortgage debt is not sufficient notice of the assignment to the party obliged to pay for purposes of subsection (d) or (e) of this section.

(h) Notwithstanding the provisions concerning remittance and retention of fees set forth in section 7-34a, as amended by this act, the recording fees paid in accordance with subsections (a), (d) and (e) of said section 7-34a by a nominee of a mortgagee, as defined in subdivision (2) of subsection (a) of said section 7-34a, shall be allocated as follows: (1) For fees collected upon a recording by a nominee of a mortgagee, except for the recording of (A) an assignment of mortgage in which the nominee of a mortgagee appears as assignor, and (B) a release of mortgage, as described in section 49-8, by a nominee of a mortgagee, the town clerk shall remit one hundred ten dollars of such fees to the state, such fees shall be deposited into the General Fund and, upon deposit in the General Fund, thirty-six dollars of such fees shall be credited to the community investment account established pursuant to section 4-66aa; the town clerk shall retain forty-nine dollars of such fees, thirty-nine dollars of which shall become part of the general revenue of such municipality and ten dollars of which shall be deposited into the town clerk fund; and the town clerk shall retain any fees for additional pages beyond the first page in accordance with the provisions of subdivision (2) of subsection (a) of said section 7-34a; and (2) for the fee collected upon a recording of (A) an assignment of mortgage in which the nominee appears as assignor, or (B) a release of mortgage by a nominee of a mortgagee, the town clerk shall remit one hundred twenty-seven dollars of such fee to the state, such fee shall be deposited into the General Fund and, upon deposit in the General Fund, thirty-six dollars of such fee shall be credited to the community investment account, and, until October 1, 2014, sixty dollars of such fee shall be credited to the State Banking Fund for purposes of funding the foreclosure mediation program established by section 49-31m; and the town clerk shall retain thirty-two dollars of such fee, which shall become part of the general revenue of such municipality.

[(h)**]** (i) An assignment executed in accordance with this section shall operate to assign the interest of the assignor in the mortgage

which is the subject of the assignment, even if such interest is, in fact, acquired by the assignor after executing such assignment or does not appear of record until after the execution of such assignment. Nothing in this subsection shall be construed to limit the effect of any assignment of mortgage debt recorded before, on or after October 1, 2006.

Sec. 82. Subsection (a) of section 7-34a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 15, 2013*):

(a) (1) Town clerks shall receive, for recording any document, ten dollars for the first page and five dollars for each subsequent page or fractional part thereof, a page being not more than eight and one-half by fourteen inches. Town clerks shall receive, for recording the information contained in a certificate of registration for the practice of any of the healing arts, five dollars. Town clerks shall receive, for recording documents conforming to, or substantially similar to, section 47-36c, which are clearly entitled "statutory form" in the heading of such documents, as follows: For the first page of a warranty deed, a quitclaim deed, a mortgage deed, or an assignment of mortgage, ten dollars; for each additional page of such documents, five dollars; and for each assignment of mortgage, subsequent to the first two assignments, two dollars. Town clerks shall receive, for recording any document with respect to which certain data must be submitted by each town clerk to the Secretary of the Office of Policy and Management in accordance with section 10-261b, two dollars in addition to the regular recording fee. Any person who offers any written document for recording in the office of any town clerk, which document fails to have legibly typed, printed or stamped directly beneath the signatures the names of the persons who executed such document, the names of any witnesses thereto and the name of the officer before whom the same was acknowledged, shall pay one dollar

in addition to the regular recording fee. Town clerks shall receive, for recording any deed, except a mortgage deed, conveying title to real estate, which deed does not contain the current mailing address of the grantee, five dollars in addition to the regular recording fee. Town clerks shall receive, for filing any document, five dollars; for receiving and keeping a survey or map, legally filed in the town clerk's office, five dollars; and for indexing such survey or map, in accordance with section 7-32, five dollars, except with respect to indexing any such survey or map pertaining to a subdivision of land as defined in section 8-18, in which event town clerks shall receive fifteen dollars for each such indexing. Town clerks shall receive, for a copy, in any format, of any document either recorded or filed in their offices, one dollar for each page or fractional part thereof, as the case may be; for certifying any copy of the same, two dollars; for making a copy of any survey or map, the actual cost thereof; and for certifying such copy of a survey or map, two dollars. Town clerks shall receive, for recording the commission and oath of a notary public, ten dollars; and for certifying under seal to the official character of a notary, two dollars.

(2) (A) Notwithstanding any other provision of this subsection and in accordance with subsection (h) of section 49-10, as amended by this act, town clerks shall receive from a nominee of a mortgagee for the recording of any document, including, but not limited to, a warranty deed, a quitclaim deed, a mortgage deed, or an assignment of mortgage, except (i) an assignment of mortgage in which the nominee of a mortgagee appears as assignor, and (ii) a release of mortgage, as described in section 49-8, by a nominee of a mortgagee, as follows: For the first page of such warranty deed, quitclaim deed, mortgage deed, or assignment of mortgage, one hundred sixteen dollars; for each additional page of such deed or assignment, five dollars; and for each assignment of mortgage, subsequent to the first two assignments, two dollars.

(B) In accordance with subsection (h) of section 49-10, as amended by this act, and in addition to any fees received pursuant to subdivision (1) of this subsection for the recording of (i) an assignment of mortgage in which a nominee of a mortgagee appears as assignor, or (ii) a release of mortgage by the nominee of a mortgagee, town clerks shall receive from a nominee of a mortgagee for the recording of such an assignment, as follows: For the entire such assignment of mortgage or release, one hundred fifty-nine dollars. No other fees shall be collected from the nominee for such recording.

(C) For purposes of this subdivision, "nominee of a mortgagee" means any person who (i) serves as mortgagee in the land records for a mortgage loan registered on a national electronic database that tracks changes in mortgage servicing and beneficial ownership interests in residential mortgage loans on behalf of its members, and (ii) is a nominee or agent for the owner of the promissory note or the subsequent buyer, transferee or beneficial owner of such note.

Sec. 83. (*Effective from passage*) Not later than November 1, 2013, the Board of Regents for Higher Education shall report, in accordance with the provisions of section 11-4a of the general statutes, the status of the development and implementation of remedial support offered by the regional community-technical colleges pursuant to the provisions of section 10a-157a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to higher education and appropriations and the budgets of state agencies.

Sec. 84. (*Effective from passage*) Not later than November 1, 2013, the Board of Regents for Higher Education shall report, in accordance with the provisions of section 11-4a of the general statutes, the status of the employment of academic counselors by the Connecticut State University System, to the joint standing committees of the General Assembly having cognizance of matters relating to higher education

and appropriations and the budgets of state agencies.

Sec. 85. (NEW) (*Effective October 1, 2013*) Notwithstanding any provision of the general statutes, the ordinance establishing a water pollution control authority created pursuant to section 7-246 of the general statutes and located in a distressed municipality, as defined in subsection (b) of section 32-9p of the general statutes, having a population of not less than one hundred forty thousand, may confer upon such authority the power to recommend to the municipality's legislative body a levy on taxable real property within the area of such authority for the planning, laying out, acquisition, construction, reconstruction, repair, maintenance, supervision and management of stormwater control systems. In imposing any such levy, such municipality may consider (1) the amount of impervious surfaces generating stormwater runoff, (2) land use types that result in higher concentrations of stormwater pollution, and (3) the property's grand list valuation.

Sec. 86. (NEW) (*Effective October 1, 2013*) Any charge due to a water pollution control authority, as described in section 85 of this act, and not paid within thirty days of the due date shall thereupon be delinquent and shall bear interest from the due date at the rate charged by the municipality's tax collector for delinquent property taxes. Any such unpaid charge shall constitute a lien upon the real estate against which such charge was levied from the date it became delinquent. Each such lien may be continued, recorded and released in the manner provided by the general statutes for continuing, recording and releasing property tax liens.

Sec. 87. (*Effective July 1, 2013*) Notwithstanding section 4-66k of the general statutes, as amended by this act, there shall be transferred from the regional planning incentive account established pursuant to said section 4-66k, to the municipal reimbursement and revenue account established in section 328 of this act, the following amounts: (1) For the

fiscal year ending June 30, 2014, the sum of $2,820,000; (2) for the fiscal year ending June 30, 2015, the sum of $2,070,000; and (3) for the fiscal year ending June 30, 2016, the sum of $1,870,000.

Sec. 88. Subdivision (4) of subsection (a) of section 9 of public act 13-234 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(4) **[**"SHE"**]** "SHA" means the State Housing Authority as created under section 8-244b of the general statutes.

Sec. 89. Subdivision (1) of subsection (h) of section 17b-340 of the general statutes, as amended by section 73 public act 13-234, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(h) (1) For the fiscal year ending June 30, 1993, any residential care home with an operating cost component of its rate in excess of one hundred thirty per cent of the median of operating cost components of rates in effect January 1, 1992, shall not receive an operating cost component increase. For the fiscal year ending June 30, 1993, any residential care home with an operating cost component of its rate that is less than one hundred thirty per cent of the median of operating cost components of rates in effect January 1, 1992, shall have an allowance for real wage growth equal to sixty-five per cent of the increase determined in accordance with subsection (q) of section 17-311-52 of the regulations of Connecticut state agencies, provided such operating cost component shall not exceed one hundred thirty per cent of the median of operating cost components in effect January 1, 1992. Beginning with the fiscal year ending June 30, 1993, for the purpose of determining allowable fair rent, a residential care home with allowable fair rent less than the twenty-fifth percentile of the state-wide allowable fair rent shall be reimbursed as having allowable fair rent equal to the twenty-fifth percentile of the state-wide allowable fair

rent. Beginning with the fiscal year ending June 30, 1997, a residential care home with allowable fair rent less than three dollars and ten cents per day shall be reimbursed as having allowable fair rent equal to three dollars and ten cents per day. Property additions placed in service during the cost year ending September 30, 1996, or any succeeding cost year shall receive a fair rent allowance for such additions as an addition to three dollars and ten cents per day if the fair rent for the facility for property placed in service prior to September 30, 1995, is less than or equal to three dollars and ten cents per day. For the fiscal year ending June 30, 1996, and any succeeding fiscal year, the allowance for real wage growth, as determined in accordance with subsection (q) of section 17-311-52 of the regulations of Connecticut state agencies, shall not be applied. For the fiscal year ending June 30, 1996, and any succeeding fiscal year, the inflation adjustment made in accordance with subsection (p) of section 17-311-52 of the regulations of Connecticut state agencies shall not be applied to real property costs. Beginning with the fiscal year ending June 30, 1997, minimum allowable patient days for rate computation purposes for a residential care home with twenty-five beds or less shall be eighty-five per cent of licensed capacity. Beginning with the fiscal year ending June 30, 2002, for the purposes of determining the allowable salary of an administrator of a residential care home with sixty beds or less the department shall revise the allowable base salary to thirty-seven thousand dollars to be annually inflated thereafter in accordance with section 17-311-52 of the regulations of Connecticut state agencies. The rates for the fiscal year ending June 30, 2002, shall be based upon the increased allowable salary of an administrator, regardless of whether such amount was expended in the 2000 cost report period upon which the rates are based. Beginning with the fiscal year ending June 30, 2000, and until the fiscal year ending June 30, 2009, inclusive, the inflation adjustment for rates made in accordance with subsection (p) of section 17-311-52 of the regulations of Connecticut state agencies shall be increased by two per cent, and beginning with the fiscal year

ending June 30, 2002, the inflation adjustment for rates made in accordance with subsection (c) of said section shall be increased by one per cent. Beginning with the fiscal year ending June 30, 1999, for the purpose of determining the allowable salary of a related party, the department shall revise the maximum salary to twenty-seven thousand eight hundred fifty-six dollars to be annually inflated thereafter in accordance with section 17-311-52 of the regulations of Connecticut state agencies and beginning with the fiscal year ending June 30, 2001, such allowable salary shall be computed on an hourly basis and the maximum number of hours allowed for a related party other than the proprietor shall be increased from forty hours to forty-eight hours per work week. For the fiscal year ending June 30, 2005, each facility shall receive a rate that is two and one-quarter per cent more than the rate the facility received in the prior fiscal year, except any facility that would have been issued a lower rate effective July 1, 2004, than for the fiscal year ending June 30, 2004, due to interim rate status or agreement with the department shall be issued such lower rate effective July 1, 2004. Effective upon receipt of all the necessary federal approvals to secure federal financial participation matching funds associated with the rate increase provided in subdivision (4) of subsection (f) of this section, but in no event earlier than October 1, 2005, and provided the user fee imposed under section 17b-320 is required to be collected, each facility shall receive a rate that is determined in accordance with applicable law and subject to appropriations, except any facility that would have been issued a lower rate effective October 1, 2005, than for the fiscal year ending June 30, 2005, due to interim rate status or agreement with the department, shall be issued such lower rate effective October 1, 2005. Such rate increase shall remain in effect unless: (A) The federal financial participation matching funds associated with the rate increase are no longer available; or (B) the user fee created pursuant to section 17b-320 is not in effect. For the fiscal year ending June 30, 2007, rates in effect for the period ending June 30, 2006, shall remain in effect until

September 30, 2006, except any facility that would have been issued a lower rate effective July 1, 2006, than for the fiscal year ending June 30, 2006, due to interim rate status or agreement with the department, shall be issued such lower rate effective July 1, 2006. Effective October 1, 2006, no facility shall receive a rate that is more than four per cent greater than the rate in effect for the facility on September 30, 2006, except for any facility that would have been issued a lower rate effective October 1, 2006, due to interim rate status or agreement with the department, shall be issued such lower rate effective October 1, 2006. For the fiscal years ending June 30, 2010, and June 30, 2011, rates in effect for the period ending June 30, 2009, shall remain in effect until June 30, 2011, except any facility that would have been issued a lower rate for the fiscal year ending June 30, 2010, or the fiscal year ending June 30, 2011, due to interim rate status or agreement with the department, shall be issued such lower rate, except (i) any facility that would have been issued a lower rate for the fiscal year ending June 30, 2010, or the fiscal year ending June 30, 2011, due to interim rate status or agreement with the Commissioner of Social Services shall be issued such lower rate; and (ii) the commissioner may increase a facility's rate for reasonable costs associated with such facility's compliance with the provisions of section 19a-495a concerning the administration of medication by unlicensed personnel. For the fiscal year ending June 30, 2012, rates in effect for the period ending June 30, 2011, shall remain in effect until June 30, 2012, except that (I) any facility that would have been issued a lower rate for the fiscal year ending June 30, 2012, due to interim rate status or agreement with the Commissioner of Social Services shall be issued such lower rate; and (II) the commissioner may increase a facility's rate for reasonable costs associated with such facility's compliance with the provisions of section 19a-495a concerning the administration of medication by unlicensed personnel. For the fiscal year ending June 30, 2013, the Commissioner of Social Services may, within available appropriations, provide a rate increase to a residential care home. Any facility that would have been issued a

lower rate for the fiscal year ending June 30, 2013, due to interim rate status or agreement with the Commissioner of Social Services shall be issued such lower rate. For the fiscal years ending June 30, 2012, and June 30, 2013, the Commissioner of Social Services may provide fair rent increases to any facility that has undergone a material change in circumstances related to fair rent and has an approved certificate of need pursuant to section 17b-352, 17b-353, 17b-354 or 17b-355. **[**Any facility that would have been issued a lower rate for the fiscal year ending June 30, 2014, or the fiscal year ending June 30, 2015, due to interim rate status or agreement with the commissioner, shall be issued such lower rate. For the fiscal years ending June 30, 2014, and June 30, 2015, the commissioner shall not consider rebasing in determining rates.**]** For the fiscal years ending June 30, 2014, and June 30, 2015, for those facilities that have a calculated rate greater than the rate in effect for the fiscal year ending June 30, 2013, the commissioner may increase facility rates based upon available appropriations up to a stop gain as determined by the commissioner. No facility shall be issued a rate that is lower than the rate in effect on June 30, 2013. Any facility that would have been issued a lower rate for the fiscal year ending June 30, 2014, or the fiscal year ending June 30, 2015, due to interim rate status or agreement with the commissioner, shall be issued such lower rate.

Sec. 90. Subdivision (4) of subsection (f) of section 17b-340 of the general statutes, as amended by section 74 of public act 13-234, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(4) For the fiscal year ending June 30, 1992, (A) no facility shall receive a rate that is less than the rate it received for the rate year ending June 30, 1991; (B) no facility whose rate, if determined pursuant to this subsection, would exceed one hundred twenty per cent of the state-wide median rate, as determined pursuant to this subsection, shall receive a rate which is five and one-half per cent more than the

rate it received for the rate year ending June 30, 1991; and (C) no facility whose rate, if determined pursuant to this subsection, would be less than one hundred twenty per cent of the state-wide median rate, as determined pursuant to this subsection, shall receive a rate which is six and one-half per cent more than the rate it received for the rate year ending June 30, 1991. For the fiscal year ending June 30, 1993, no facility shall receive a rate that is less than the rate it received for the rate year ending June 30, 1992, or six per cent more than the rate it received for the rate year ending June 30, 1992. For the fiscal year ending June 30, 1994, no facility shall receive a rate that is less than the rate it received for the rate year ending June 30, 1993, or six per cent more than the rate it received for the rate year ending June 30, 1993. For the fiscal year ending June 30, 1995, no facility shall receive a rate that is more than five per cent less than the rate it received for the rate year ending June 30, 1994, or six per cent more than the rate it received for the rate year ending June 30, 1994. For the fiscal years ending June 30, 1996, and June 30, 1997, no facility shall receive a rate that is more than three per cent more than the rate it received for the prior rate year. For the fiscal year ending June 30, 1998, a facility shall receive a rate increase that is not more than two per cent more than the rate that the facility received in the prior year. For the fiscal year ending June 30, 1999, a facility shall receive a rate increase that is not more than three per cent more than the rate that the facility received in the prior year and that is not less than one per cent more than the rate that the facility received in the prior year, exclusive of rate increases associated with a wage, benefit and staffing enhancement rate adjustment added for the period from April 1, 1999, to June 30, 1999, inclusive. For the fiscal year ending June 30, 2000, each facility, except a facility with an interim rate or replaced interim rate for the fiscal year ending June 30, 1999, and a facility having a certificate of need or other agreement specifying rate adjustments for the fiscal year ending June 30, 2000, shall receive a rate increase equal to one per cent applied to the rate the facility received for the fiscal year ending June 30, 1999, exclusive of

the facility's wage, benefit and staffing enhancement rate adjustment. For the fiscal year ending June 30, 2000, no facility with an interim rate, replaced interim rate or scheduled rate adjustment specified in a certificate of need or other agreement for the fiscal year ending June 30, 2000, shall receive a rate increase that is more than one per cent more than the rate the facility received in the fiscal year ending June 30, 1999. For the fiscal year ending June 30, 2001, each facility, except a facility with an interim rate or replaced interim rate for the fiscal year ending June 30, 2000, and a facility having a certificate of need or other agreement specifying rate adjustments for the fiscal year ending June 30, 2001, shall receive a rate increase equal to two per cent applied to the rate the facility received for the fiscal year ending June 30, 2000, subject to verification of wage enhancement adjustments pursuant to subdivision (14) of this subsection. For the fiscal year ending June 30, 2001, no facility with an interim rate, replaced interim rate or scheduled rate adjustment specified in a certificate of need or other agreement for the fiscal year ending June 30, 2001, shall receive a rate increase that is more than two per cent more than the rate the facility received for the fiscal year ending June 30, 2000. For the fiscal year ending June 30, 2002, each facility shall receive a rate that is two and one-half per cent more than the rate the facility received in the prior fiscal year. For the fiscal year ending June 30, 2003, each facility shall receive a rate that is two per cent more than the rate the facility received in the prior fiscal year, except that such increase shall be effective January 1, 2003, and such facility rate in effect for the fiscal year ending June 30, 2002, shall be paid for services provided until December 31, 2002, except any facility that would have been issued a lower rate effective July 1, 2002, than for the fiscal year ending June 30, 2002, due to interim rate status or agreement with the department shall be issued such lower rate effective July 1, 2002, and have such rate increased two per cent effective June 1, 2003. For the fiscal year ending June 30, 2004, rates in effect for the period ending June 30, 2003, shall remain in effect, except any facility that would have been issued a

lower rate effective July 1, 2003, than for the fiscal year ending June 30, 2003, due to interim rate status or agreement with the department shall be issued such lower rate effective July 1, 2003. For the fiscal year ending June 30, 2005, rates in effect for the period ending June 30, 2004, shall remain in effect until December 31, 2004, except any facility that would have been issued a lower rate effective July 1, 2004, than for the fiscal year ending June 30, 2004, due to interim rate status or agreement with the department shall be issued such lower rate effective July 1, 2004. Effective January 1, 2005, each facility shall receive a rate that is one per cent greater than the rate in effect December 31, 2004. Effective upon receipt of all the necessary federal approvals to secure federal financial participation matching funds associated with the rate increase provided in this subdivision, but in no event earlier than July 1, 2005, and provided the user fee imposed under section 17b-320 is required to be collected, for the fiscal year ending June 30, 2006, the department shall compute the rate for each facility based upon its 2003 cost report filing or a subsequent cost year filing for facilities having an interim rate for the period ending June 30, 2005, as provided under section 17-311-55 of the regulations of Connecticut state agencies. For each facility not having an interim rate for the period ending June 30, 2005, the rate for the period ending June 30, 2006, shall be determined beginning with the higher of the computed rate based upon its 2003 cost report filing or the rate in effect for the period ending June 30, 2005. Such rate shall then be increased by eleven dollars and eighty cents per day except that in no event shall the rate for the period ending June 30, 2006, be thirty-two dollars more than the rate in effect for the period ending June 30, 2005, and for any facility with a rate below one hundred ninety-five dollars per day for the period ending June 30, 2005, such rate for the period ending June 30, 2006, shall not be greater than two hundred seventeen dollars and forty-three cents per day and for any facility with a rate equal to or greater than one hundred ninety-five dollars per day for the period ending June 30, 2005, such rate for the period ending June

30, 2006, shall not exceed the rate in effect for the period ending June 30, 2005, increased by eleven and one-half per cent. For each facility with an interim rate for the period ending June 30, 2005, the interim replacement rate for the period ending June 30, 2006, shall not exceed the rate in effect for the period ending June 30, 2005, increased by eleven dollars and eighty cents per day plus the per day cost of the user fee payments made pursuant to section 17b-320 divided by annual resident service days, except for any facility with an interim rate below one hundred ninety-five dollars per day for the period ending June 30, 2005, the interim replacement rate for the period ending June 30, 2006, shall not be greater than two hundred seventeen dollars and forty-three cents per day and for any facility with an interim rate equal to or greater than one hundred ninety-five dollars per day for the period ending June 30, 2005, the interim replacement rate for the period ending June 30, 2006, shall not exceed the rate in effect for the period ending June 30, 2005, increased by eleven and one-half per cent. Such July 1, 2005, rate adjustments shall remain in effect unless (i) the federal financial participation matching funds associated with the rate increase are no longer available; or (ii) the user fee created pursuant to section 17b-320 is not in effect. For the fiscal year ending June 30, 2007, each facility shall receive a rate that is three per cent greater than the rate in effect for the period ending June 30, 2006, except any facility that would have been issued a lower rate effective July 1, 2006, than for the rate period ending June 30, 2006, due to interim rate status or agreement with the department, shall be issued such lower rate effective July 1, 2006. For the fiscal year ending June 30, 2008, each facility shall receive a rate that is two and nine-tenths per cent greater than the rate in effect for the period ending June 30, 2007, except any facility that would have been issued a lower rate effective July 1, 2007, than for the rate period ending June 30, 2007, due to interim rate status or agreement with the department, shall be issued such lower rate effective July 1, 2007. For the fiscal year ending June 30, 2009, rates in effect for the period ending June 30, 2008, shall

remain in effect until June 30, 2009, except any facility that would have been issued a lower rate for the fiscal year ending June 30, 2009, due to interim rate status or agreement with the department shall be issued such lower rate. For the fiscal years ending June 30, 2010, and June 30, 2011, rates in effect for the period ending June 30, 2009, shall remain in effect until June 30, 2011, except any facility that would have been issued a lower rate for the fiscal year ending June 30, 2010, or the fiscal year ending June 30, 2011, due to interim rate status or agreement with the department, shall be issued such lower rate. For the fiscal years ending June 30, 2012, and June 30, 2013, rates in effect for the period ending June 30, 2011, shall remain in effect until June 30, 2013, except any facility that would have been issued a lower rate for the fiscal year ending June 30, 2012, or the fiscal year ending June 30, 2013, due to interim rate status or agreement with the department, shall be issued such lower rate. For the fiscal year ending June 30, 2014, the department shall determine facility rates based upon 2011 cost report filings subject to the provisions of this section and applicable regulations except: **[**(1)**]** (I) A ninety per cent minimum occupancy standard shall be applied; **[**(2)**]** (II) no facility shall receive a rate that is higher than the rate in effect on June 30, 2013; **[**(3)**]** (III) no facility shall receive a rate that is more than four per cent lower than the rate in effect on June 30, 2013; and **[**(4)**]** (IV) any facility that would have been issued a lower rate effective July 1, 2013, than for the rate period ending June 30, 2013, due to interim rate status or agreement with the department, shall be issued such lower rate effective July 1, 2013. For the fiscal year ending June 30, 2015, rates in effect for the period ending June 30, 2014, shall remain in effect until June 30, 2015, except any facility that would have been issued a lower rate effective July 1, 2014, than for the rate period ending June 30, 2014, due to interim rate status or agreement with the department, shall be issued such lower rate effective July 1, 2014. The Commissioner of Social Services shall add fair rent increases to any other rate increases established pursuant to this subdivision for a facility which has undergone a material

change in circumstances related to fair rent, except for the fiscal years ending June 30, 2010, June 30, 2011, and June 30, 2012, such fair rent increases shall only be provided to facilities with an approved certificate of need pursuant to section 17b-352, 17b-353, 17b-354 or 17b-355. For the fiscal year ending June 30, 2013, the commissioner may, within available appropriations, provide pro rata fair rent increases for facilities which have undergone a material change in circumstances related to fair rent additions placed in service in cost report years ending September 30, 2008, to September 30, 2011, inclusive, and not otherwise included in rates issued. For the fiscal years ending June 30, 2014, and June 30, 2015, the commissioner may, within available appropriations, provide pro rata fair rent increases, which may include moveable equipment at the discretion of the commissioner, for facilities which have undergone a material change in circumstances related to fair rent additions or moveable equipment placed in service in cost report years ending September 30, 2012, and September 30, 2013, and not otherwise included in rates issued. The commissioner shall add fair rent increases associated with an approved certificate of need pursuant to section 17b-352, 17b-353, 17b-354 or 17b-355. Interim rates may take into account reasonable costs incurred by a facility, including wages and benefits. Notwithstanding the provisions of this section, the Commissioner of Social Services may, subject to available appropriations, increase or decrease rates issued to licensed chronic and convalescent nursing homes and licensed rest homes with nursing supervision.

Sec. 91. Section 17b-239 of the general statutes, as amended by section 76 of public act 13-234, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) (1) Until the time subdivision (2) of this subsection is effective, the rate to be paid by the state to hospitals receiving appropriations granted by the General Assembly and to freestanding chronic disease

hospitals providing services to persons aided or cared for by the state for routine services furnished to state patients, shall be based upon reasonable cost to such hospital, or the charge to the general public for ward services or the lowest charge for semiprivate services if the hospital has no ward facilities, imposed by such hospital, whichever is lowest, except to the extent, if any, that the commissioner determines that a greater amount is appropriate in the case of hospitals serving a disproportionate share of indigent patients. Such rate shall be promulgated annually by the Commissioner of Social Services.

(2) On or after July 1, 2013, Medicaid rates paid to acute care and children's hospitals shall be based on diagnosis–related groups established and periodically rebased by the Commissioner of Social Services, provided the Department of Social Services completes a fiscal analysis of the impact of such rate payment system on each hospital. The Commissioner of Social Services shall, in accordance with the provisions of section 11-4a, file a report on the results of the fiscal analysis not later than six months after implementing the rate payment system with the joint standing committees of the General Assembly having cognizance of matters relating to human services and appropriations and the budgets of state agencies. The Commissioner of Social Services shall annually determine in-patient rates for each hospital by multiplying diagnostic-related group relative weights by a base rate. Within available appropriations, the commissioner may, in his or her discretion, make additional payments to hospitals based on criteria to be determined by the commissioner. Nothing contained in this section shall authorize Medicaid payment by the state to any such hospital in excess of the charges made by such hospital for comparable services to the general public.

(b) Effective October 1, 1991, the rate to be paid by the state for the cost of special services rendered by such hospitals shall be established annually by the commissioner for each such hospital based on the

reasonable cost to each hospital of such services furnished to state patients. Nothing contained in this subsection shall authorize a payment by the state for such services to any such hospital in excess of the charges made by such hospital for comparable services to the general public.

(c) The term "reasonable cost" as used in this section means the cost of care furnished such patients by an efficient and economically operated facility, computed in accordance with accepted principles of hospital cost reimbursement. The commissioner may adjust the rate of payment established under the provisions of this section for the year during which services are furnished to reflect fluctuations in hospital costs. Such adjustment may be made prospectively to cover anticipated fluctuations or may be made retroactive to any date subsequent to the date of the initial rate determination for such year or in such other manner as may be determined by the commissioner. In determining "reasonable cost" the commissioner may give due consideration to allowances for fully or partially unpaid bills, reasonable costs mandated by collective bargaining agreements with certified collective bargaining agents or other agreements between the employer and employees, provided "employees" shall not include persons employed as managers or chief administrators, requirements for working capital and cost of development of new services, including additions to and replacement of facilities and equipment. The commissioner shall not give consideration to amounts paid by the facilities to employees as salary, or to attorneys or consultants as fees, where the responsibility of the employees, attorneys or consultants is to persuade or seek to persuade the other employees of the facility to support or oppose unionization. Nothing in this subsection shall prohibit the commissioner from considering amounts paid for legal counsel related to the negotiation of collective bargaining agreements, the settlement of grievances or normal administration of labor relations.

(d) (1) Until such time as subdivision (2) of this subsection is effective, the state shall also pay to such hospitals for each outpatient clinic and emergency room visit a reasonable rate to be established annually by the commissioner for each hospital, such rate to be determined by the reasonable cost of such services.

(2) On or after July 1, 2013, hospitals shall be paid for outpatient and emergency room episodes of care based on prospective rates established by the commissioner in accordance with the Medicare Ambulatory Payment Classification system in conjunction with a state conversion factor, provided the Department of Social Services completes a fiscal analysis of the impact of such rate payment system on each hospital. The Commissioner of Social Services shall, in accordance with the provisions of section 11-4a, file a report on the results of the fiscal analysis not later than six months after implementing the rate payment system with the joint standing committees of the General Assembly having cognizance of matters relating to human services and appropriations and the budgets of state agencies. The Medicare Ambulatory Payment Classification system shall be modified to provide payment for services not generally covered by Medicare, including, but not limited to, pediatric, obstetric, neonatal and perinatal services. Nothing contained in this subsection shall authorize a payment by the state for such episodes of care to any hospital in excess of the charges made by such hospital for comparable services to the general public. Those outpatient hospital services that do not have an established Ambulatory Payment Classification code shall be paid on the basis of a ratio of cost to charges, or the fixed fee in effect as of January 1, 2013. The Commissioner of Social Services shall establish a fee schedule for outpatient hospital services to be effective on and after January 1, 1995, and may annually modify such fee schedule if such modification is needed to ensure that the conversion to an administrative services organization is cost neutral to hospitals in the aggregate and ensures patient access. Utilization may be a factor in

determining cost neutrality.

(e) The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, establishing criteria for defining emergency and nonemergency visits to hospital emergency rooms. All nonemergency visits to hospital emergency rooms shall be paid at the hospital's outpatient clinic services rate. Nothing contained in this subsection or the regulations adopted under this section shall authorize a payment by the state for such services to any hospital in excess of the charges made by such hospital for comparable services to the general public. To the extent permitted by federal law, the Commissioner of Social Services shall impose cost sharing requirements under the medical assistance program for nonemergency use of hospital emergency room services.

(f) On and after July 1, 1995, no payment shall be made by the state to an acute care general hospital for the inpatient care of a patient who no longer requires acute care and is eligible for Medicare unless the hospital does not obtain reimbursement from Medicare for that stay.

(g) The commissioner shall establish rates to be paid to freestanding chronic disease hospitals.

[(g)**]** (h) The Commissioner of Social Services may implement policies and procedures as necessary to carry out the provisions of this section while in the process of adopting the policies and procedures as regulations, provided notice of intent to adopt the regulations is published in the Connecticut Law Journal not later than twenty days after the date of implementation.

Sec. 92. Section 123 of public act 13-234 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) For purposes of this section, (1) "Healthy Start" means a service delivery program for pregnant women with incomes up to two

hundred fifty per cent of the federal poverty level which promotes and supports positive maternal and neonatal health outcomes; and (2) "core Healthy Start services" are (A) a comprehensive medical and psycho-social risk assessment, (B) the development of a care plan, and (C) the delivery of care coordination, including, but not limited to, health education and case management services. **[**; and (3) "venues" means locations that include, but are not limited to, health departments, hospital clinics and federally qualified health centers.**]**

(b) The Commissioner of Social Services, acting in consultation with the Commissioner of Public Health, shall develop a plan to maximize federal Medicaid reimbursements for Healthy Start in Connecticut to the extent permissible under federal law and expand services within available state appropriations. **[**Such plan shall include, but not be limited to: (1) A venue-based payment and billing system under which core Healthy Start services provided by nonlicensed staff working with a licensed Medicaid provider are reimbursed through Medicaid, and (2) a funding allocation formula that ensures that eligible women throughout the state have access to core Healthy Start services.**]**

(c) On or before October 1, 2013, and October 1, 2014, the Commissioners of Social Services and Public Health, within available appropriations, shall review the effectiveness of the state-funded Healthy Start program. Such evaluation shall determine (1) whether the program should continue to be administered through the Department of Social Services, and (2) whether and how the program should be expanded to other underserved communities in the state. The commissioners shall report the results of such studies to the joint standing committees of the General Assembly having cognizance of matters relating to human services, public health, and appropriations and the budgets of state agencies.

Sec. 93. Section 158 of public act 13-234 is repealed and the following is substituted in lieu thereof (*Effective January 1, 2014*):

Sections **[**17a-220,**]** 17b-261n, 17b-311, 17b-490, 17b-491, 17b-492 and 17b-493 to 17b-498, inclusive, of the general statutes are repealed.

Sec. 94. (*Effective from passage*) Change the effective date of section 1 of public act 13-173 to "Effective from passage".

Sec. 95. (*Effective July 1, 2013*) Up to $70,000 of the unexpended balance of funds appropriated to Office of the Healthcare Advocate, for Personal Services, in section 7 of public act 11-6, as amended by section 5 of public act 12-104, for the fiscal year ending June 30, 2013, shall not lapse on said date, and such funds shall be transferred to the Equipment account and made available for voice and data wiring and a computer network switch during the fiscal year ending June 30, 2014.

Sec. 96. Section 13a-175a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) For each fiscal year there shall be allocated twelve million five hundred thousand dollars out of the funds appropriated to the Department of Transportation, or from any other source, not otherwise prohibited by law, to be used by the towns for construction, reconstruction, improvement or maintenance of highways, sections of highways, bridges or structures incidental to highways and bridges or the improvement thereof, including the plowing of snow, the sanding of icy pavements, the trimming and removal of trees, the installation, replacement and maintenance of traffic signs, signals and markings, and for traffic control and vehicular safety programs, traffic and parking planning and administration, and other purposes and programs related to highways, traffic and parking, and for the purposes of providing and operating essential public transportation services and related facilities.

(b) Notwithstanding the provisions of subsection (a) of this section, the Secretary of the Office of Policy and Management, in the secretary's

discretion, may approve the use of funds by a town for purposes other than those enumerated in said subsection (a).

Sec. 97. Section 17 of public act 13-184 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The Secretary of the Office of Policy and Management may transfer amounts appropriated for Personal Services in sections 1 and 2 of this act and sections 2, 3 and 5 to 10, inclusive, of **[**this act**]** public act 13-184 from agencies to the Reserve for Salary Adjustments account to reflect a more accurate impact of collective bargaining and related costs.

(b) The Secretary of the Office of Policy and Management may transfer funds appropriated in section 1 of **[**public act 13-184**]** this act, for Reserve for Salary Adjustments, to any agency in any appropriated fund to give effect to salary increases, other employee benefits, agency costs related to staff reductions including accrual payments, achievement of agency general personal services reductions, or other personal services adjustments authorized by **[**this act**]** public act 13-184, section 1 of this act, any other act or other applicable statute.

Sec. 98. Subsection (b) of section 18 of public act 13-184 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(b) That portion of unexpended funds, as determined by the Secretary of the Office of Policy and Management, appropriated in **[**sections 1 and**]** section 1 of this act and section 2 of **[**this act**]** public act 13-184, which relate to collective bargaining agreements and related costs for the fiscal year ending June 30, 2014, shall not lapse on June 30, 2014, and such funds shall continue to be available for such purpose during the fiscal year ending June 30, 2015.

Sec. 99. Section 21 of public act 13-184 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

Notwithstanding the provisions of section 10-183t of the general statutes, for the fiscal years ending June 30, 2014, and June 30, 2015, (1) the state shall appropriate only the amount specified in section 1 of **[**public act 13-184**]** this act, and (2) the retired teachers' health insurance premium account within the Teachers' Retirement Fund, established pursuant to the provisions of subsection (d) of said section 10-183t, shall pay (A) forty-two per cent of the basic plan's premium equivalent under subsection (a) of said section 10-183t, and (B) seventy-five per cent of the subsidy under subsection (c) of said section 10-183t.

Sec. 100. Section 22 of public act 13-184 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

Any appropriation, or portion thereof, made to any agency from the General Fund in section 1 of **[**public act 13-184**]** this act, may be transferred at the request of such agency to any other agency by the Governor, with the approval of the Finance Advisory Committee, to take full advantage of federal matching funds, provided both agencies shall certify that the expenditure of such transferred funds by the receiving agency will be for the same purpose as that of the original appropriation or portion thereof so transferred. Any federal funds generated through the transfer of appropriations between agencies may be used for reimbursing General Fund expenditures or for expanding program services or a combination of both as determined by the Governor, with the approval of the Finance Advisory Committee.

Sec. 101. Subsection (a) of section 23 of public act 13-184 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) Any appropriation, or portion thereof, made to any agency from the General Fund in section 1 of **[**public act 13-184**]** this act, may be adjusted in accordance with subsection (b) of this section, by the

Governor, with approval of the Finance Advisory Committee in order to maximize federal funding available to the state, consistent with the relevant federal provisions of law.

Sec. 102. Section 24 of public act 13-184 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

Any appropriation, or portion thereof, made to The University of Connecticut Health Center in section 1 of **[**public act 13-184**]** this act may be transferred by the Secretary of the Office of Policy and Management to the Disproportionate Share – Medical Emergency Assistance account or to the Medicaid account in the Department of Social Services for the purpose of maximizing federal reimbursement.

Sec. 103. Section 26 of public act 13-184 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

Any appropriation, or portion thereof, made to the Department of Veterans' Affairs in section 1 of **[**public act 13-184**]** this act may be transferred by the Secretary of the Office of Policy and Management to the Disproportionate Share – Medical Emergency Assistance account or to the Medicaid account in the Department of Social Services for the purpose of maximizing federal reimbursement.

Sec. 104. Section 31 of public act 13-184 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The sum of $250,000 appropriated in section 1 of **[**public act 13-184**]** this act to The University of Connecticut, for Operating Expenses, for each of the fiscal years ending June 30, 2014, and June 30, 2015, shall be made available during each of said fiscal years to support the Connecticut Center for Advanced Technology.

Sec. 105. Section 39 of public act 13-184 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

Up to $100,000 of the amount appropriated in section 1 of **[**public act 13-184**]** this act to the Labor Department, for Jobs First Employment Services, for each of the fiscal years ending June 30, 2014, and June 30, 2015, shall be made available in each of said fiscal years for a grant to the WorkPlace in Bridgeport.

Sec. 106. Section 42 of public act 13-184 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

Up to $150,000 of the amount appropriated in section 1 of **[**public act 13-184**]** this act to the Board of Regents for Higher Education, for Connecticut State University, for each of the fiscal years ending June 30, 2014, and June 30, 2015, for the initial stages of the collection and arrangement of the official papers of former Governor William O'Neill shall be made available in each of said years for a grant to the Institute of Municipal and Regional Policy for purposes of assisting in the development of the Connecticut specific model within the Pew-MacArthur Results First Initiative.

Sec. 107. Section 44 of public act 13-184 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

Up to $250,000 of the amount appropriated in section 1 of **[**public act 13-184**]** this act to the Department of Education, for School Accountability, for each of the fiscal years ending June 30, 2014, and June 30, 2015, shall be made available in each of said fiscal years for implementation of the Connecticut Fiscal State Tracking and Accountability Report System.

Sec. 108. Section 56 of public act 13-184 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

Notwithstanding the provisions of section 4-85 of the general statutes, the Secretary of the Office of Policy and Management shall not allot funds appropriated in sections 1 and 2 of this act and sections

2, 3 and 5 to 10, inclusive, of **[**this act**]** public act 13-184 for Nonfunctional – Change to Accruals.

Sec. 109. Section 57 of public act 13-184 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The amount appropriated in section 1 of **[**public act 13-184**]** this act to the Department of Social Services, for Fatherhood Initiative, for each of the fiscal years ending June 30, 2014, and June 30, 2015, shall be distributed equally for each of said fiscal years to the following: Families in Crises, Madonna Place, New Opportunities Inc., New Haven Family Alliance, Career Resources Inc. and Family Strides Inc.

Sec. 110. Section 65 of public act 13-184 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

Up to $250,000 of the amount appropriated in section 1 of **[**public act 13-184**]** this act to the Department of Housing, for Housing/Homeless Services, for each of the fiscal years ending June 30, 2014, and June 30, 2015, shall be made available in each of said fiscal years for the Norwich/New London Continuum of Care to facilitate rehousing and homelessness prevention in southeastern Connecticut.

Sec. 111. Section 110 of public act 13-184 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

Notwithstanding the provisions of section 4-28e of the general statutes, up to $40,000,000 received pursuant to the settlement of litigation under the 1998 tobacco Master Settlement Agreement shall be reserved for the purpose of reducing aggregate appropriations in section 1 of **[**public act 13-184**]** this act for Nonfunctional-Change to Accruals for the fiscal year ending June 30, 2014.

Sec. 112. Section 113 of public act 13-184 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The appropriations in section 1 of **[**public act 13-184**]** this act are supported by the GENERAL FUND revenue estimates as follows:

	2013 - 2014	2014 - 2015
TAXES		
Personal Income	$8,808,800,000	$9,399,800,000
Sales and Use	4,044,000,000	4,164,800,000
Corporations	723,500,000	749,300,000
Public Service Corporations	279,300,000	284,400,000
Inheritance and Estate	172,900,000	179,800,000
Insurance Companies	271,200,000	277,600,000
Cigarettes	390,400,000	379,500,000
Real Estate Conveyance	143,800,000	150,800,000
Oil Companies	37,400,000	36,100,000
Electric Generation	17,500,000	0
Alcoholic Beverages	59,800,000	60,200,000
Admissions and Dues	37,000,000	37,300,000
Health Provider	512,000,000	514,500,000
Miscellaneous	19,900,000	20,200,000
TOTAL TAXES	15,517,500,000	16,254,300,000
Refunds of Taxes	-1,073,500,000	-1,115,600,000
Earned Income Tax Credit	-104,500,000	-121,000,000
R & D Credit Exchange	-5,500,000	-6,200,000
TAXES LESS REFUNDS	14,334,000,000	15,011,500,000
OTHER REVENUE		
Transfer Special Revenue	314,300,000	338,800,000
Indian Gaming Payments	285,300,000	280,400,000
Licenses, Permits and Fees	300,900,000	274,100,000
Sales of Commodities	38,200,000	39,400,000
Rentals, Fines and Escheats	114,050,000	116,000,000
Investment Income	1,300,000	1,600,000

Miscellaneous	169,100,000	170,900,000
Refunds of Payments	-69,800,000	71,300,000
TOTAL OTHER REVENUE	1,153,350,000	1,149,900,000
OTHER SOURCES		
Federal Grants	1,312,700,000	1,227,900,000
Transfer from Tobacco Settlement	107,000,000	106,000,000
Transfer from Other Funds	283,000,000	12,200,000
TOTAL OTHER SOURCES	1,702,700,000	1,346,100,000
TOTAL GENERAL FUND REVENUE	17,190,050,000	17,507,500,000

Sec. 113. (NEW) (*Effective October 1, 2013*) The Commissioner of Emergency Services and Public Protection is authorized to award the Connecticut medal of bravery directly or posthumously to any citizen of the state in recognition of a valorous and heroic deed performed in saving a life or for injury or death or threat of injury or death incurred in the service of the state or such citizen's community or on behalf of the health, welfare or safety of other persons. Recommendations for the Connecticut medal of bravery may be submitted to the commissioner, in the form and manner prescribed by the commissioner, by any member of the public.

Sec. 114. (NEW) (*Effective from passage*) The Adjutant General and two officers of field grade or above, appointed by the Adjutant General, shall constitute a board of officers to receive recommendations, through military channels, for the award, within available appropriations, of the medal of achievement to any member of the Connecticut National Guard who has distinguished himself or herself through outstanding achievement or meritorious service during the performance of any state military service, including military service described in section 27-61 of the general statutes and

military service performed pursuant to chapter 518 of the general statutes. A bronze oak leaf cluster shall be issued in lieu of succeeding awards and a silver oak leaf cluster shall be worn in lieu of five bronze oak leaf clusters.

Sec. 115. Section 27-73a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Adjutant General, at his or her discretion, may issue an appropriate service ribbon to all members of the armed forces of the state ordered to active duty in time of emergency **[**in accordance with section 27-14**]** for upholding the law and preserving order, **[**or**]** protecting lives and property, **[**or**]** assisting civil authorities, **[**or the**]** providing aid and relief **[**of**]** to civilians in disaster or similar service ordered by the Governor. A bronze oak leaf cluster shall be issued in lieu of succeeding awards and a silver oak leaf cluster **[**may**]** shall be worn in lieu of **[**three**]** five bronze oak leaf clusters. **[**This section shall apply to service rendered on or after August 19, 1955.**]**

Sec. 116. Section 27-73b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Adjutant General shall issue an appropriate service ribbon to all members of the unit declared to be the outstanding company-size unit in the Connecticut National Guard in accordance with National Guard regulations, provided such members participated in at least fifty per cent of the unit's training activities during the period covered by the award. A bronze oak leaf cluster shall be issued in lieu of succeeding awards and a silver oak leaf cluster **[**may**]** shall be worn in lieu of **[**three**]** five bronze oak leaf clusters. **[**These awards shall be made retroactive to 1947.**]**

Sec. 117. Section 16-243v of the general statutes is amended by adding subsection (k) as follows (*Effective from passage*):

(NEW) (k) (1) As used in this section:

(A) "Residential retail end use customer" means any electric, gas or heating fuel customer, regardless of heating source, who wishes to replace heating furnace or boiler equipment, provided a residential retail end use customer (i) shall be a customer of an electric distribution company, and (ii) shall not include a customer who occupies leased premises or who does not own the premises on which the replacement heating furnace or boiler equipment is located;

(B) "Heating furnace or boiler equipment" means the primary heating equipment for space and hot water needs, along with the ancillary piping, pumps, duct work and associated other equipment that may be required as part of the replacement of a heating furnace or boiler;

(C) "Furnace or boiler replacement funds" means any funds approved by the third-party administrator pursuant to this subsection, provided (i) such funds may be used for the loan principal in an amount not to exceed fifteen thousand dollars, excluding interest expense associated with such loan and the expense for any loan default, and (ii) participating residential retail end use customers may be charged interest on the loan principal in an amount not to exceed three per cent, based on income eligibility as determined by the third-party administrator;

(D) "Electric distribution company" and "gas company" have the same meanings as provided in section 16-1.

(2) Not later than September 1, 2013, the electric distribution and gas companies shall develop a residential furnace and boiler replacement program funded by the systems benefits charge pursuant to section 16-245*l*, as amended by this act, in a manner that minimizes the impact on ratepayers. Said program shall be reviewed and approved or modified

by the Department of Energy and Environmental Protection, in consultation with the Energy Conservation Management Board, within sixty days of receipt of the plan for said program. Said program shall include a contract for retention of a third-party administrator to become effective upon approval of the program by the department. Said program shall continue until the end of the third year of the program. On or before January 1, 2014, the electric distribution and gas companies shall retain the services of a third-party administrator with expertise in developing, implementing and administering residential lending programs, including credit evaluation, to provide financing for improvement projects by property owners, loan servicing and program administration. The third-party administrator shall, in conjunction with the electric distribution companies and gas companies, develop the program.

(3) The third-party administrator shall be responsible for extending loans and administering the residential furnace and boiler replacement program to assist residential retail end use customers in funding heating furnace or boiler equipment replacements that meet all of the program requirements, which shall include, but not be limited to, (A) the total projected direct cost savings to the eligible residential retail end use customer resulting from the heating furnace or boiler replacement, calculated on an annual basis commencing from the month that the replacement furnace or boiler is projected to be in service, shall be greater than the total cost of the replacement funds over the term of the program in order to qualify for the program, (B) the eligible customer shall pay a contribution of not less than ten per cent of the total cost of the replacement or conversion of the heating furnace or boiler and any additional amounts that are required in order to meet the program requirements, (C) eligible customers shall have six consecutive months of timely utility payments and shall not have any past due balance owed to any electric distribution company or gas company, (D) the term of the repayment of the replacement

funds shall be the lesser of (i) the simple payback period of the replacement funds plus two years, or (ii) ten years, and (E) the replacement furnace or boiler shall meet or exceed federal Energy Star standards. Eligible residential retail end use customers may apply to the third-party administrator for participation in the program. The third-party administrator shall screen each applicant to ensure that the applicant meets the eligibility requirements and such program requirements prior to accepting the customer into the program.

(4) Program participants shall repay the furnace or boiler replacement funds through a monthly charge on the customer's residential electric or gas utility bill, provided heating fuel customers shall be able to repay such replacement funds through a monthly charge on such customer's electric or gas utility bill. Furnace or boiler replacement funds provided shall be reflected on the residential retail end use customer's electric service or gas account, as applicable, for the premises on which the replacement heating furnace or boiler equipment is located. If the premises are sold, the amount of replacement funds remaining to be repaid shall be transferred to subsequent service account holders at such premises, who may become program participants for purposes of the repayment obligation, unless the seller and buyer agree that the loan will not be transferred.

(5) Furnace or boiler replacement funds shall be recovered through the systems benefits charge of the respective electric distribution company where the heating furnace or boiler equipment is located. Any program costs incurred by the third-party administrator or the gas company and funds not repaid by customers who default on their repayment obligations and other costs associated with the program or customers' failure to repay replacement funds to the third-party administrator shall be recovered through the systems benefits charge. All administrative and capital carrying costs of the electric distribution

companies associated with the program shall be recovered by the companies through a reconciling component, such as the systems benefits charge as approved by the Public Utilities Regulatory Authority.

(6) On or before January 1, 2016, the Department of Energy and Environmental Protection and the Energy Conservation Management Board shall engage an independent third party to evaluate and submit a report, in accordance with section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to energy and finance, revenue and bonding on the status of the program. Such report shall also include an evaluation of the program developed pursuant to section 58 of house bill 6360 of the current session, as amended by house amendment schedule A. The report shall include, but not be limited to, for each program, a review of (A) cost effectiveness of the program, (B) number of customers served and potential for growth, (C) the customer classes served, and (D) the fuel type of the financed equipment.

(7) The third-party administrator shall be entitled to take all available legal action as may be necessary to secure the furnace or boiler replacement funds and repayment of the funds, including, but not limited to, attaching liens and requiring filings to be made on applicable land records or as otherwise necessary or required.

Sec. 118. Subsection (a) of section 16-245*l* of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Public Utilities Regulatory Authority shall establish and each electric distribution company shall collect a systems benefits charge to be imposed against all end use customers of each electric distribution company beginning January 1, 2000. The authority shall hold a hearing that shall be conducted as a contested case in

accordance with chapter 54 to establish the amount of the systems benefits charge. The authority may revise the systems benefits charge or any element of said charge as the need arises. The systems benefits charge shall be used to fund (1) the expenses of the public education outreach program developed under subsections (a), (f) and (g) of section 16-244d other than expenses for authority staff, (2) the reasonable and proper expenses of the education outreach consultant pursuant to subsection (d) of section 16-244d, (3) the cost of hardship protection measures under sections 16-262c and 16-262d and other hardship protections, including, but not limited to, electric service bill payment programs, funding and technical support for energy assistance, fuel bank and weatherization programs and weatherization services, (4) the payment program to offset tax losses described in section 12-94d, (5) any sums paid to a resource recovery authority pursuant to subsection (b) of section 16-243e, (6) low income conservation programs approved by the Public Utilities Regulatory Authority, (7) displaced worker protection costs, (8) unfunded storage and disposal costs for spent nuclear fuel generated before January 1, 2000, approved by the appropriate regulatory agencies, (9) postretirement safe shutdown and site protection costs that are incurred in preparation for decommissioning, (10) decommissioning fund contributions, (11) the costs of temporary electric generation facilities incurred pursuant to section 16-19ss, (12) operating expenses for the Connecticut Energy Advisory Board, (13) costs associated with the Connecticut electric efficiency partner program established pursuant to section 16-243v, as amended by this act, (14) reinvestments and investments in energy efficiency programs and technologies pursuant to section 16a-38*l*, costs associated with the electricity conservation incentive program established pursuant to section 119 of public act 07-242, **[**and**]** (15) legal, appraisal and purchase costs of a conservation or land use restriction and other related costs as the authority in its discretion deems appropriate, incurred by a municipality on or before January 1, 2000, to ensure the environmental,

recreational and scenic preservation of any reservoir located within this state created by a pump storage hydroelectric generating facility, and (16) the residential furnace and boiler replacement program pursuant to subsection (k) of section 16-243v, as amended by this act. As used in this subsection, "displaced worker protection costs" means the reasonable costs incurred, prior to January 1, 2008, (A) by an electric supplier, exempt wholesale generator, electric company, an operator of a nuclear power generating facility in this state or a generation entity or affiliate arising from the dislocation of any employee other than an officer, provided such dislocation is a result of (i) restructuring of the electric generation market and such dislocation occurs on or after July 1, 1998, or (ii) the closing of a Title IV source or an exempt wholesale generator, as defined in 15 USC 79z-5a, on or after January 1, 2004, as a result of such source's failure to meet requirements imposed as a result of sections 22a-197 and 22a-198 and this section or those Regulations of Connecticut State Agencies adopted by the Department of Energy and Environmental Protection, as amended from time to time, in accordance with Executive Order Number 19, issued on May 17, 2000, and provided further such costs result from either the execution of agreements reached through collective bargaining for union employees or from the company's or entity's or affiliate's programs and policies for nonunion employees, and (B) by an electric distribution company or an exempt wholesale generator arising from the retraining of a former employee of an unaffiliated exempt wholesale generator, which employee was involuntarily dislocated on or after January 1, 2004, from such wholesale generator, except for cause. "Displaced worker protection costs" includes costs incurred or projected for severance, retraining, early retirement, outplacement, coverage for surviving spouse insurance benefits and related expenses. "Displaced worker protection costs" does not include those costs included in determining a tax credit pursuant to section 12-217bb.

Sec. 119. Subdivision (8) of subsection (a) of section 16-244u of the general statutes, as amended by section 35 of house bill 6360 of the current session, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(8) "Declining percentage of the transmission and distribution charges" means, during the period commencing on the **[**effective date of this section and ending July 1, 2014**]** first day of commercial operation of a virtual net metering facility or an agricultural virtual net metering facility and ending after one year, eighty per cent of the transmission and distribution charges, during the period commencing **[**on July 2, 2014, and ending July 1, 2015**]** at the beginning of the second year of commercial operation of a virtual net metering facility or an agricultural virtual net metering facility and ending after one year, sixty per cent of the transmission and distribution charges, and commencing **[**on and after July 2, 2015**]** at the beginning of the third year of commercial operation of a virtual net metering facility or an agricultural virtual net metering facility and for each year thereafter, forty per cent of the transmission and distribution charges.

Sec. 120. Subsections (d) and (e) of section 12-391 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to estates of decedents dying on or after January 1, 2013*):

(d) (1) (A) With respect to the estates of decedents who die on or after January 1, 2005, but prior to January 1, 2010, a tax is imposed upon the transfer of the estate of each person who at the time of death was a resident of this state. The amount of the tax shall be determined using the schedule in subsection (g) of this section. A credit shall be allowed against such tax for any taxes paid to this state pursuant to section 12-642 for Connecticut taxable gifts made on or after January 1, 2005, but prior to January 1, 2010.

(B) With respect to the estates of decedents who die on or after January 1, 2010, a tax is imposed upon the transfer of the estate of each person who at the time of death was a resident of this state. The amount of the tax shall be determined using the schedule in subsection (g) of this section. A credit shall be allowed against such tax for any taxes paid to this state pursuant to section 12-642 for Connecticut taxable gifts made on or after January 1, 2005, provided such credit shall not exceed the amount of tax imposed by this section.

(2) If real or tangible personal property of such decedent is located outside of this state, **[**and is subject to estate, inheritance, legacy or succession taxes by any state or states, other than the state of Connecticut, or by the District of Columbia,**]** the amount of tax due under this section shall be reduced by **[**the lesser of: (A) The amount of any taxes paid to such other state or states or said district; or (B)**]** an amount computed by multiplying the tax otherwise due pursuant to subdivision (1) of this subsection, without regard to the credit allowed for any taxes paid to this state pursuant to section 12-642, by a fraction, (i) the numerator of which is the value of that part of the decedent's gross estate **[**over which such other state or states or said district have jurisdiction for estate tax purposes to the same extent to which this state would assert jurisdiction for estate tax purposes under this chapter, with respect to the residents of such other state or states or said district**]** attributable to real or tangible personal property located outside of the state, and (ii) the denominator of which is the value of the decedent's gross estate.

(3) **[**Property of a resident estate over which this state has jurisdiction for estate tax purposes includes**]** For a resident estate, the state shall have the power to levy the estate tax upon real property situated in this state, tangible personal property having an actual situs in this state and intangible personal property **[**owned by**]** included in the gross estate of the decedent, regardless of where it is located. The

state is permitted to calculate the estate tax and levy said tax to the fullest extent permitted by the Constitution of the United States.

(e) (1) (A) With respect to the estates of decedents who die on or after January 1, 2005, but prior to January 1, 2010, a tax is imposed upon the transfer of the estate of each person who at the time of death was a nonresident of this state. The amount of such tax shall be computed by multiplying (i) the amount of tax determined using the schedule in subsection (g) of this section by (ii) a fraction, the numerator of which is the value of that part of the decedent's gross estate over which this state has jurisdiction for estate tax purposes, and the denominator of which is the value of the decedent's gross estate. A credit shall be allowed against such tax for any taxes paid to this state pursuant to section 12-642, for Connecticut taxable gifts made on or after January 1, 2005, but prior to January 1, 2010.

(B) With respect to the estates of decedents who die on or after January 1, 2010, a tax is imposed upon the transfer of the estate of each person who at the time of death was a nonresident of this state. The amount of such tax shall be computed by multiplying (i) the amount of tax determined using the schedule in subsection (g) of this section by (ii) a fraction, the numerator of which is the value of that part of the decedent's gross estate over which this state has jurisdiction for estate tax purposes, and the denominator of which is the value of the decedent's gross estate. A credit shall be allowed against such tax for any taxes paid to this state pursuant to section 12-642, for Connecticut taxable gifts made on or after January 1, 2005, provided such credit shall not exceed the amount of tax imposed by this section.

(2) **[**Property of a nonresident estate over which this state has jurisdiction for estate tax purposes includes**]** For a nonresident estate, the state shall have the power to levy the estate tax upon all real property situated in this state and tangible personal property having an actual situs in this state. The state is permitted to calculate the estate

tax and levy said tax to the fullest extent permitted by the Constitution of the United States.

Sec. 121. Section 27-138 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2014*):

[(a)**]** The Soldiers, Sailors and Marines Fund shall remain as established and shall be in the custody of the Treasurer as trustee of the fund and shall be administered by **[**the treasurer of**]** the American Legion. The Treasurer shall invest the fund and shall reinvest as much of the fund as is not required for current disbursement in accordance with the provisions of part I of chapter 32. The interest accumulations of the fund so held in trust or so much thereof as is found necessary to carry out the purposes hereinafter stated shall be paid **[**, upon the order of the Comptroller, upon such statements as the Comptroller may require, to the treasurer of**]** to the American Legion, who shall disburse the same, and the balance of said accumulations, except for a reserve of one hundred thousand dollars held in custody of the trustee for contingent purposes, shall at the end of each fiscal year be added to the principal of the fund. **[**If the interest accumulations of the fund, together with available appropriations, if any, of other funds, are insufficient to carry out the purposes of this part, the Finance Advisory Committee, upon recommendation of the Governor, shall make appropriations therefor from the state General Fund, limited, however, for any fiscal year to amounts which, together with said interest accumulations for such year, shall not exceed the annual interest on thirty-five million dollars at the average rate of the investment yield earned during the preceding fiscal year on the Soldiers, Sailors and Marines Fund, provided, in case of disaster constituting an emergency, as declared by the Governor, the Finance Advisory Committee may make additional appropriations to the fund without regard to such limitation. Any amounts appropriated from the General Fund under the provisions of this subsection on or after July 1, 2002, and disbursed

by the treasurer of the American Legion to carry out the purposes of this part, shall be repaid to said fund in accordance with the provisions of subsection (b) of this section.**]** Payments to the **[**treasurer of the**]** American Legion shall be made at such definite and stated periods as are necessary to meet the convenience of the American Legion and said trustee; but each payment shall be made upon the order of the **[**treasurer of the**]** American Legion, approved by at least two of its executive officers or of a special committee thereof thereunto specially authorized. **[**No**]** The American Legion may consult with the Treasurer concerning investment of the fund. Up to three hundred thousand dollars of the interest accumulation may be utilized by the American Legion to administer the fund, provided no additional part of the interest accumulation of the fund shall be expended for the purpose of maintaining the American Legion.

[(b) If in any fiscal year the interest earned on the principal of the Soldiers, Sailors and Marines Fund exceeds the expenditure level of said fund and there remains an outstanding balance in the cumulative amount to be repaid to the General Fund by the Soldiers, Sailors and Marines Fund under the provisions of subsection (a) of this section, the Comptroller may transfer any interest earned in excess of expenditure to the General Fund. Except as provided in this section, the Comptroller may not transfer interest earned on the principal of the Soldiers, Sailors and Marines Fund to the General Fund.**]**

Sec. 122. (NEW) (*Effective July 1, 2014*) (a) The American Legion shall, on or before January fifteenth biennially, cause an independent audit of the Soldiers, Sailors and Marines Fund, described in section 27-138 of the general statutes, as amended by this act. Such audit shall be conducted in accordance with sections 4-230 to 4-236, inclusive, of the general statutes and regulations adopted pursuant to section 4-236 of the general statutes. The audit report shall include: (1) A detailed description of the fund investments; (2) a description of investment

returns, including interest, dividends, realized capital gains and unrealized capital gains organized by investment type; (3) a list of operating expenditures that describes the type, and includes the amount, of each expenditure; (4) a list of the number of grant recipients each month; (5) the fund balance for the current year, the amount of interest earned for the current year, the estimated fund balance for the subsequent year and the estimated interest earned for the subsequent year; and (6) any other information that is required to be reported to the Treasurer.

(b) Not later than seven business days after the date on which the American Legion receives the audit report of the independent audit described in subsection (a) of this section, the American Legion shall submit to the Treasurer and the joint standing committees of the General Assembly having cognizance of matters relating to finance, revenue and bonding and veterans' and military affairs a copy of such report. The American Legion shall make such report available to the public in a paper and an electronic format.

Sec. 123. (NEW) (*Effective from passage*) For the fiscal year ending June 30, 2015, and each fiscal year thereafter, the Department of Education, in consultation with the Department of Social Services, shall develop a sliding tuition scale based on family income to be used in the calculation of the amount that a regional educational service center operating an interdistrict magnet school offering a preschool program may charge for tuition to the parent or guardian of a child enrolled in such preschool program pursuant to section 10-264*l* of the general statutes, as amended by this act, or 10-264o of the general statutes, as amended by this act.

Sec. 124. Subsection (k) of section 10-264*l* of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

[(k) For the fiscal year ending June 30, 2009, any tuition charged to a local or regional board of education by a regional educational service center operating an interdistrict magnet school shall be in an amount equal to at least seventy-five per cent of the difference between (1) the average per pupil expenditure of the magnet school for the prior fiscal year, and (2) the amount of any per pupil state subsidy calculated under subsection (c) of this section plus any revenue from other sources calculated on a per pupil basis. For the fiscal year ending June 30, 2010, any tuition charged to a local or regional board of education by a regional educational service center operating an interdistrict magnet school for any student enrolled in such interdistrict magnet school shall be in an amount equal to at least ninety per cent of the difference between (A) the average per pupil expenditure of the magnet school for the prior fiscal year, and (B) the amount of any per pupil state subsidy calculated under subsection (c) of this section plus any revenue from other sources calculated on a per pupil basis.**]**

(k) (1) For the fiscal year ending June 30, **[**2011**]** 2014, and each fiscal year thereafter, any tuition charged to a local or regional board of education by a regional educational service center operating an interdistrict magnet school or any tuition charged by the Hartford school district operating the Great Path Academy on behalf of Manchester Community College for any student enrolled **[**in a preschool program or**]** in kindergarten to grade twelve, inclusive, in such interdistrict magnet school shall be in an amount equal to the difference between **[**(i)**]** (A) the average per pupil expenditure of the magnet school for the prior fiscal year, and **[**(ii)**]** (B) the amount of any per pupil state subsidy calculated under subsection (c) of this section plus any revenue from other sources calculated on a per pupil basis. If any such board of education fails to pay such tuition, the commissioner may withhold from such board's town or towns a sum payable under section 10-262i in an amount not to exceed the amount of the unpaid tuition to the magnet school and pay such money to the

fiscal agent for the magnet school as a supplementary grant for the operation of the interdistrict magnet school program. In no case shall the sum of such tuitions exceed the difference between **[**(I)**]** (i) the total expenditures of the magnet school for the prior fiscal year, and **[**(II)**]** (ii) the total per pupil state subsidy calculated under subsection (c) of this section plus any revenue from other sources. The commissioner may conduct a comprehensive financial review of the operating budget of a magnet school to verify such tuition rate.

(2) (A) For the fiscal years ending June 30, 2013, and June 30, 2014, a regional educational service center operating an interdistrict magnet school offering a preschool program that is not located in the Sheff region may charge tuition to the Department of Education for a child enrolled in such preschool program in an amount not to exceed an amount equal to the difference between (i) the average per pupil expenditure of the preschool program offered at the magnet school for the prior fiscal year, and (ii) the amount of any per pupil state subsidy calculated under subsection (c) of this section plus any revenue from other sources calculated on a per pupil basis. The commissioner may conduct a comprehensive financial review of the operating budget of any such magnet school charging such tuition to verify such tuition rate. For purposes of this subdivision, "Sheff region" means the school districts for the towns of Avon, Bloomfield, Canton, East Granby, East Hartford, East Windsor, Ellington, Farmington, Glastonbury, Granby, Hartford, Manchester, Newington, Rocky Hill, Simsbury, South Windsor, Suffield, Vernon, West Hartford, Wethersfield, Windsor and Windsor Locks.

(B) For the fiscal year ending June 30, 2015, and each fiscal year thereafter, a regional educational service center operating an interdistrict magnet school offering a preschool program that is not located in the Sheff region may charge tuition to the parent or guardian of a child enrolled in such preschool program in an amount

that is in accordance with the sliding tuition scale adopted by the State Board of Education pursuant to section 123 of this act. The Department of Education shall be financially responsible for any unpaid portion of the tuition not charged to such parent or guardian under such sliding tuition scale. Such tuition shall not exceed an amount equal to the difference between (i) the average per pupil expenditure of the preschool program offered at the magnet school for the prior fiscal year, and (ii) the amount of any per pupil state subsidy calculated under subsection (c) of this section plus any revenue from other sources calculated on a per pupil basis. The commissioner may conduct a comprehensive financial review of the operating budget of any such magnet school charging such tuition to verify such tuition rate.

Sec. 125. Section 10-264o of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) Notwithstanding any provision of this chapter, interdistrict magnet schools that begin operations on or after July 1, 2008, pursuant to the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as determined by the Commissioner of Education, may operate without district participation agreements and enroll students from any district through a lottery designated by the commissioner. **[**For the fiscal year ending June 30, 2009, any tuition charged to a local or regional board of education by a regional educational service center operating such an interdistrict magnet school shall be in an amount equal to at least seventy-five per cent of the difference between the estimated per pupil cost less the state magnet grant pursuant to subsection (c) of section 10-264*l* and any revenue from other sources as determined by the interdistrict magnet school operator. For the fiscal year ending June 30, 2010, any tuition charged to a local or regional board of education by a regional educational service center operating an interdistrict magnet school for any student enrolled in such

interdistrict magnet school shall be in an amount equal to at least ninety per cent of the difference between (1) the average per pupil expenditure of the magnet school for the prior fiscal year, and (2) the amount of any per pupil state subsidy calculated under subsection (c) of section 10-264*l* plus any revenue from other sources calculated on a per pupil basis.**]**

(b) For the fiscal year ending June 30, **[**2011**]** 2013, and each fiscal year thereafter, any tuition charged to a local or regional board of education by a regional educational service center operating an interdistrict magnet school that began operations on or after July 1, 2008, pursuant to the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as determined by the Commissioner of Education, for any student enrolled **[**in a preschool program or**]** in kindergarten to grade twelve, inclusive, in such interdistrict magnet school shall be in an amount equal to the difference between **[**(A)**]** (1) the average per pupil expenditure of the magnet school for the prior fiscal year, and **[**(B)**]** (2) the amount of any per pupil state subsidy calculated under subsection (c) of section 10-264*l* plus any revenue from other sources calculated on a per pupil basis. If any such board of education fails to pay such tuition, the commissioner may withhold from such board's town or towns a sum payable under section 10-262i in an amount not to exceed the amount of the unpaid tuition to the magnet school and pay such money to the fiscal agent for the magnet school as a supplementary grant for the operation of the interdistrict magnet school program. In no case shall the sum of such tuitions exceed the difference between **[**(i)**]** (A) the total expenditures of the magnet school for the prior fiscal year, and **[**(ii)**]** (B) the total per pupil state subsidy calculated under subsection (c) of section 10-264*l* plus any revenue from other sources. The commissioner may conduct a comprehensive review of the operating budget of a magnet school to verify such tuition rate.

(c) (1) For the fiscal year ending June 30, 2013, a regional educational service center operating an interdistrict magnet school that began operations on or after July 1, 2008, pursuant to the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as determined by the Commissioner of Education, and offering a preschool program shall not charge tuition for a child enrolled in such preschool program.

(2) For the fiscal year ending June 30, 2014, a regional educational service center operating an interdistrict magnet school that began operations on or after July 1, 2008, pursuant to the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as determined by the Commissioner of Education, and offering a preschool program may charge tuition to the Department of Education for a child enrolled in such preschool program in an amount not to exceed an amount equal to the difference between (A) the average per pupil expenditure of the preschool program offered at the magnet school for the prior fiscal year, and (B) the amount of any per pupil state subsidy calculated under subsection (c) of section 10-264*l* plus any revenue from other sources calculated on a per pupil basis. The commissioner may conduct a comprehensive review of the operating budget of any such magnet school charging such tuition to verify such tuition rate.

(3) For the fiscal year ending June 30, 2015, and each fiscal year thereafter, a regional educational service center operating an interdistrict magnet school that began operations on or after July 1, 2008, pursuant to the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as determined by the Commissioner of Education, and offering a preschool program may charge tuition to the parent or guardian of a child enrolled in such preschool program in an amount that is in accordance with the sliding tuition scale adopted by the State Board of Education pursuant to section 123 of this act. The Department of Education shall be financially responsible for any unpaid portion of the tuition not charged to such parent or guardian

under such sliding tuition scale. Such tuition shall not exceed an amount equal to the difference between (A) the average per pupil expenditure of the preschool program offered at the magnet school for the prior fiscal year, and (B) the amount of any per pupil state subsidy calculated under subsection (c) of section 10-264*l* plus any revenue from other sources calculated on a per pupil basis. The commissioner may conduct a comprehensive review of the operating budget of any such magnet school charging such tuition to verify such tuition rate.

Sec. 126. (*Effective from passage*) Not later than February 1, 2014, the Department of Education shall submit a report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to education on the levels of diversity and integration for each public school located in the Sheff region. Such report shall include the number of and percentage of minority students in each such school and an analysis of how such data relates to the state's efforts in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. For purposes of this section, (1) "Sheff region" means the school districts for the towns of Avon, Bloomfield, Canton, East Granby, East Hartford, East Windsor, Ellington, Farmington, Glastonbury, Granby, Hartford, Manchester, Newington, Rocky Hill, Simsbury, South Windsor, Suffield, Vernon, West Hartford, Wethersfield, Windsor and Windsor Locks, and (2) "minority students" means those whose race is defined as other than white, or whose ethnicity is defined as Hispanic or Latino by the federal Office of Management and Budget for use by the Bureau of Census of the United States Department of Commerce.

Sec. 127. (NEW) (*Effective July 1, 2013*) There is established an account in the General Fund to be known as the "municipal aid adjustment" account. Moneys in the account shall be expended by the Secretary of the Office of Policy and Management for grants to

municipalities for the fiscal years ending June 30, 2014, and June 30, 2015. Such grant payments shall be made annually by December thirty-first as follows:

	Municipal Aid Adjustment Grant	
Municipalities	FY 14 Grant Payment	FY 15 Grant Payment
Branford	$25,000	$25,000
Cheshire	3,531	1,766
Fairfield	48,058	24,029
Farmington	25,686	12,843
Greenwich	63,669	31,834
Griswold	15,380	7,690
Groton (Town of)	539,968	519,984
Guilford	75,000	75,000
Hartford	2,682,981	2,341,491
Mansfield	625,545	312,773
Plainfield	65,103	32,552
Torrington	95,013	47,506
Sprague	150,000	150,000
Westport	18,241	9,120
Borough of Danielson	11,500	5,750
Borough of Litchfield	809	404
Borough of Newtown	8	4
Regional School District No. 5	180	90
Regional School District No. 12	71	36
Regional School District No. 13	703	352
Regional School District No. 16	217	109
Enfield: Hazardville Fire #	518	259
New Milford: N. Milford Fire	555	278
Plainfield: Plainfield FD	46	23
Putnam: W. Putnam District	10	5
W. Haven: West Shore FD	19,663	9,831
Grand Totals	4,467,456	3,608,728

Sec. 128. (NEW) (*Effective July 1, 2013*) The proceeds of bonds authorized pursuant to section 55 of public act 13-239, shall be expended by the Secretary of the Office of Policy and Management for grants to municipalities for the purposes set forth in subsection (b) of section 13a-175a of the general statutes, as amended by this act, for the fiscal years ending June 30, 2014, and June 30, 2015. Such grant payments shall be made annually by December thirty-first as follows:

Municipalities	FY 14	FY 15
Andover	$2,464	$2,464
Ansonia	80,336	80,336
Ashford	3,369	3,369
Avon	245,886	245,886
Barkhamsted	38,995	38,995
Beacon Falls	41,202	41,202
Berlin	739,604	739,604
Bethany	63,229	63,229
Bethel	265,841	265,841
Bethlehem	7,472	7,472
Bloomfield	1,600,114	1,600,114
Bolton	23,380	23,380
Bozrah	130,279	130,279
Branford	352,546	352,546
Bridgeport	970,184	970,184
Bridgewater	552	552
Bristol	2,338,949	2,338,949
Brookfield	111,243	111,243
Brooklyn	9,761	9,761
Burlington	14,390	14,390
Canaan	19,480	19,480
Canterbury	1,902	1,902
Canton	7,518	7,518
Chaplin	565	565
Cheshire	692,865	692,865
Chester	83,953	83,953

Clinton	180,269	180,269
Colchester	36,688	36,688
Colebrook	517	517
Columbia	25,171	25,171
Cornwall	-	-
Coventry	9,906	9,906
Cromwell	29,249	29,249
Danbury	1,624,148	1,624,148
Darien	-	-
Deep River	97,940	97,940
Derby	13,852	13,852
Durham	144,740	144,740
Eastford	51,317	51,317
East Granby	505,475	505,475
East Haddam	1,595	1,595
East Hampton	17,816	17,816
East Hartford	4,182,901	4,182,901
East Haven	40,912	40,912
East Lyme	21,107	21,107
Easton	2,502	2,502
East Windsor	277,470	277,470
Ellington	210,227	210,227
Enfield	241,591	241,591
Essex	70,111	70,111
Fairfield	90,990	90,990
Farmington	513,328	513,328
Franklin	21,707	21,707
Glastonbury	226,471	226,471
Goshen	2,490	2,490
Granby	33,230	33,230
Greenwich	83,725	83,725
Griswold	29,997	29,997
Groton (Town of)	1,166,988	1,166,988
Guilford	60,989	60,989
Haddam	3,343	3,343
Hamden	269,631	269,631

Hampton	-	-
Hartford	1,334,719	1,334,719
Hartland	898	898
Harwinton	20,226	20,226
Hebron	2,084	2,084
Kent	-	-
Killingly	664,666	664,666
Killingworth	4,842	4,842
Lebanon	28,617	28,617
Ledyard	396,030	396,030
Lisbon	3,464	3,464
Litchfield	3,228	3,228
Lyme	-	-
Madison	6,391	6,391
Manchester	1,008,637	1,008,637
Mansfield	6,434	6,434
Marlborough	6,878	6,878
Meriden	840,468	840,468
Middlebury	79,250	79,250
Middlefield	233,857	233,857
Middletown	1,868,907	1,868,907
Milford	1,264,846	1,264,846
Monroe	168,449	168,449
Montville	497,189	497,189
Morris	3,318	3,318
Naugatuck	321,327	321,327
New Britain	1,301,538	1,301,538
New Canaan	188	188
New Fairfield	1,081	1,081
New Hartford	130,893	130,893
New Haven	1,287,658	1,287,658
Newington	863,254	863,254
New London	31,195	31,195
New Milford	634,087	634,087
Newtown	221,366	221,366
Norfolk	6,778	6,778

North Branford	283,160	283,160
North Canaan	338,315	338,315
North Haven	1,359,707	1,359,707
North Stonington	-	-
Norwalk	378,941	378,941
Norwich	175,997	175,997
Old Lyme	1,776	1,776
Old Saybrook	43,937	43,937
Orange	98,717	98,717
Oxford	79,296	79,296
Plainfield	136,187	136,187
Plainville	509,690	509,690
Plymouth	143,364	143,364
Pomfret	26,165	26,165
Portland	85,435	85,435
Preston	-	-
Prospect	66,721	66,721
Putnam	161,578	161,578
Redding	1,250	1,250
Ridgefield	528,547	528,547
Rocky Hill	208,037	208,037
Roxbury	566	566
Salem	4,419	4,419
Salisbury	78	78
Scotland	7,224	7,224
Seymour	264,455	264,455
Sharon	-	-
Shelton	549,365	549,365
Sherman	-	-
Simsbury	73,028	73,028
Somers	77,426	77,426
Southbury	19,733	19,733
Southington	771,956	771,956
South Windsor	1,258,566	1,258,566
Sprague	363,529	363,529
Stafford	411,860	411,860

Stamford	391,381	391,381
Sterling	22,946	22,946
Stonington	94,362	94,362
Stratford	3,298,976	3,298,976
Suffield	169,913	169,913
Thomaston	371,822	371,822
Thompson	72,167	72,167
Tolland	80,003	80,003
Torrington	569,326	569,326
Trumbull	178,045	178,045
Union	-	-
Vernon	142,578	142,578
Voluntown	1,883	1,883
Wallingford	1,832,519	1,832,519
Warren	271	271
Washington	149	149
Waterbury	2,366,443	2,366,443
Waterford	32,217	32,217
Watertown	604,064	604,064
Westbrook	251,494	251,494
West Hartford	757,839	757,839
West Haven	138,739	138,739
Weston	426	426
Westport	-	-
Wethersfield	20,489	20,489
Willington	18,827	18,827
Wilton	288,788	288,788
Winchester	287,984	287,984
Windham	427,527	427,527
Windsor	1,242,398	1,242,398
Windsor Locks	1,794,444	1,794,444
Wolcott	220,938	220,938
Woodbridge	28,140	28,140
Woodbury	53,522	53,522
Woodstock	64,675	64,675

Jewett City(Bor.)	3,945	3,945
Barkhampstead FD	2,351	2,351
Berlin - Kensington FD	10,711	10,711
Berlin - Worthington FD	885	885
Bloomfield: Center FD	3,925	3,925
Bloomfield Blue Hills FD	96,952	96,952
Cromwell FD	1,723	1,723
Enfield FD 1	13,765	13,765
Enfield: Thompsonville FD 2	2,972	2,972
Enfield: Hazardville Fire #3	1,292	1,292
Enfield: N Thompsonville FD 4	65	65
Enfield: Shaker Pines FD 5	6,022	6,022
Groton City	154,839	154,839
Groton Sewer	1,588	1,588
Groton Old Mystic FD 5	1,594	1,594
Groton: Poq. Bridge FD	20,973	20,973
Killingly Attawaugan F.D.	1,727	1,727
Killingly Dayville F.D.	39,582	39,582
Killingly Dyer Manor	1,343	1,343
E. Killingly F.D.	89	89
So. Killingly F.D.	178	178
Killingly Williamsville F.D.	6,311	6,311
Manchester Eighth Util.	64,354	64,354
Middletown: South FD	194,759	194,759
Middletown Westfield F.D.	10,158	10,158
Middletown City Fire	31,824	31,824
New Htfd. Village F.D. #1	6,704	6,704
New Htfd Pine Meadow #3	123	123
New Htfd South End F.D.	9	9
Plainfield Central Village FD	1,379	1,379
Plainfield - Moosup FD	2,045	2,045
Plainfield: Plainfield FD	1,842	1,842
Plainfield Wauregan FD	4,830	4,830
Pomfret FD	970	970
Putnam: E. Putnam FD	9,508	9,508

Simsbury F.D.	2,481	2,481
Stafford Springs Service Dist.	14,339	14,339
Sterling F.D.	1,216	1,216
Stonington Mystic FD	565	565
Stonington Old Mystic FD	2,369	2,369
Stonington Pawcatuck F.D.	5,173	5,173
Stonington Quiambaug F.D.	68	68
Stonington Wequetequock FD	69	69
Trumbull Center	522	522
Trumbull Long Hill F.D.	1,039	1,039
Trumbull Nichols F.D.	3,231	3,231
W. Haven: West Shore FD	32,643	32,643
W. Haven: Allingtown FD	20,234	20,234
West Haven First Ctr FD 1	4,454	4,454
Windsor Wilson FD	201	201
Windsor FD	13	13
Windham First	8,398	8,398
Grand Totals	56,429,907	56,429,907

Sec. 129. Subdivision (3) of subsection (a) of section 12-217jj of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013, and applicable to tax credits issued on or after said date*):

(3) (A) "Qualified production" means entertainment content created in whole or in part within the state, including motion pictures, except as otherwise provided in this subparagraph; documentaries; long-form, specials, mini-series, series, sound recordings, videos and music videos and interstitials television programming; interactive television; relocated television production; interactive games; videogames; commercials; any format of digital media, including an interactive web site, created for distribution or exhibition to the general public; and any trailer, pilot, video teaser or demo created primarily to stimulate the sale, marketing, promotion or exploitation of future investment in either a product or a qualified production via any means and media in

any digital media format, film or videotape, provided such program meets all the underlying criteria of a qualified production. For the state fiscal years ending June 30, 2014, and June 30, 2015, "qualified production" shall not include a motion picture that has not been designated as a state-certified qualified production prior to July 1, 2013, and no tax credit voucher for such motion picture may be issued during said years, except, for the state fiscal year ending June 30, 2015, "qualified production" shall include a motion picture for which twenty-five per cent or more of the principal photography shooting days are in this state at a facility that receives not less than twenty-five million dollars in private investment and opens for business on or after July 1, 2013, and a tax credit voucher may be issued for such motion picture.

(B) "Qualified production" shall not include any ongoing television program created primarily as news, weather or financial market reports; a production featuring current events, other than a relocated television production, sporting events, an awards show or other gala event; a production whose sole purpose is fundraising; a long-form production that primarily markets a product or service; a production used for corporate training or in-house corporate advertising or other similar productions; or any production for which records are required to be maintained under 18 USC 2257 with respect to sexually explicit content.

Sec. 130. Section 17a-22o of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Departments of Children and Families, Social Services and Mental Health and Addiction Services shall submit all proposals for initial rates, reductions to existing rates and changes in rate methodology within the Behavioral Health Partnership to the Behavioral Health Partnership Oversight Council for review. **[**If the council does not recommend acceptance, it may forward its

recommendation to the joint standing committees of the General Assembly having cognizance of matters relating to public health, human services and appropriations and the budgets of state agencies. In the event the council forwards its recommendation to said joint standing committees: (1) The committees shall hold a joint public hearing on the subject of the proposed rates, to receive the partnership's rationale for making such a rate change; and (2) not later than ninety days after the date of submission of rates by the departments to the council, the committees of cognizance shall make recommendations to the departments regarding the proposed rates.**]** The departments shall make every effort to incorporate recommendations of **[**both**]** the council **[**and the committees of cognizance**]** when setting rates. For the fiscal year beginning July 1, 2014, the Behavioral Health Partnership Oversight Council, in consultation with the Departments of Children and Families, Social Services and Mental Health and Addiction Services shall identify a savings of one million dollars.

Sec. 131. Subsection (b) of section 22a-200c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(b) The Department of Energy and Environmental Protection shall auction all emissions allowances and invest the proceeds, which shall be deposited into a Regional Greenhouse Gas account established by the Comptroller as a separate, nonlapsing account within the General Fund, on behalf of electric ratepayers in energy conservation, load management and Class I renewable energy programs. In making such investments, the Commissioner of Energy and Environmental Protection shall consider strategies that maximize cost effective reductions in greenhouse gas emission. Allowances shall be auctioned under the oversight of the Department of Energy and Environmental Protection by a contractor or trustee on behalf of the electric

ratepayers. On or before July 1, 2015, notwithstanding subparagraph (C) of subdivision (5) of subsection (f) of section 22a-174-31 of the regulations of Connecticut state agencies, the commissioner may allocate to the Clean Energy Finance and Investment Authority any portion of auction proceeds in excess of the amounts budgeted by electric distribution companies in the plan submitted to the department on November 1, 2012, in accordance with section 16-245m, to support energy efficiency programs, provided any such excess proceeds may be calculated and allocated on a pro rata basis at the conclusion of any auction.

Sec. 132. Section 32-4*l* of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) (1) The Department of Economic and Community Development shall establish a first five plus program to encourage business expansion and job creation. As part of said program, the department may provide substantial financial assistance to up to fifteen eligible business development projects by June 30, **[**2013**]** 2015.

(2) A business development project eligible for financial assistance under the first five plus program shall commit, in the manner prescribed by the Commissioner of Economic and Community Development, to (A) create not less than two hundred new jobs within twenty-four months from the date such application is approved; or (B) invest not less than twenty-five million dollars and create not less than two hundred new jobs not later than five years after the date such application is approved.

(3) The Commissioner of Economic and Community Development may give preference to a business development project that (A) involves the relocation of an out-of-state or international manufacturer or corporate headquarters, (B) involves the relocation of jobs that are outside the United States to the state, or (C) is a redevelopment project

if the commissioner believes such redevelopment project will create jobs sooner than the schedule set forth in subdivision (2) of this subsection.

(4) The Commissioner of Economic and Community Development may, in awarding financial assistance to an eligible business development project, work with Connecticut Innovations, Incorporated, to secure financing for such project.

(5) The Commissioner of Economic and Community Development shall certify to the Governor for his or her approval that a business development project applicant has satisfied all the eligibility criteria in the program. Financial assistance awarded through the first five plus program shall be with the written consent of the Governor.

(b) Financial assistance for the first five plus program for eligible business development projects shall be exempt from the provisions of subsection (c) of section 32-223, section 32-462, subsection (q) of section 32-9t and, at the commissioner's discretion, section 12-211a for the fiscal years ending June 30, 2012, **[**and**]** June 30, 2013, June 30, 2014, and June 30, 2015.

(c) The commissioner may take such action as the commissioner deems necessary or appropriate to enforce such commitment, including, but not limited to, establishing terms and conditions for the repayment of any financial assistance awarded pursuant to the provisions of this section.

(d) On or before **[**January 1, 2012, on or before September 1, 2012, on or before January 1, 2013, and on or before**]** September 1, 2013, January 1, 2014, September 1, 2014, January 1, 2015, and September 1, 2015, the Commissioner of Economic and Community Development shall report in accordance with the provisions of section 11-4a to the joint standing committees of the General Assembly having cognizance of matters

relating to commerce and finance, revenue and bonding on the projects funded through the first five plus program, the number of jobs created and the impact on the economy of this state.

Sec. 133. Section 12-818 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

For each of the fiscal years ending June 30, 2010, and June 30, 2011, the Connecticut Lottery Corporation shall transfer one million nine hundred thousand dollars of the revenue received from the sale of lottery tickets to the chronic gamblers treatment rehabilitation account created pursuant to section 17a-713. For the fiscal **[**year ending June 30, 2012, and each fiscal year thereafter**]** years ending June 30, 2012, to June 30, 2013, inclusive, the Connecticut Lottery Corporation shall transfer one million nine hundred thousand dollars of the revenue received from the sale of lottery tickets to the chronic gamblers treatment rehabilitation account created pursuant to section 17a-713. For the fiscal year ending June 30, 2014, and each fiscal year thereafter, the Connecticut Lottery Corporation shall transfer two million three hundred thousand dollars of the revenue received from the sale of lottery tickets to the chronic gamblers treatment rehabilitation account created pursuant to section 17a-713.

Sec. 134. (NEW) (*Effective from passage*) (a) The Department of Economic and Community Development shall, within available resources, establish and maintain a registry of data pertaining to small business concerns owned and controlled by veterans and small business concerns owned and controlled by service-disabled veterans that maintain their principal place of business in this state. Such registry shall include, but not be limited to, the names of the veteran or veterans who own and control each such business concern, the location of such business and the type of business in which each such business concern engages. The department shall request this information annually from the United States Department of Veterans Affairs and

any other appropriate state or federal agency. For purposes of this section, "small business concern owned and controlled by veterans" and "small business concern owned and controlled by service-disabled veterans" shall have the same meanings as provided in 15 USC 632(q), as amended from time to time.

(b) The Department of Economic and Community Development shall submit an annual report to the joint standing committee of the General Assembly having cognizance of matters relating to military and veterans' affairs, in accordance with the provisions of section 11-4a of the general statutes, that includes an accounting, based on information contained in the registry described in subsection (a) of this section, of the number of small business concerns owned and controlled by veterans and small business concerns owned and controlled by service-disabled veterans that maintain their principal place of business in the state.

Sec. 135. Deleted.

Sec. 136. Section 38a-1080 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

For purposes of sections 38a-1080 to 38a-1090, inclusive, as amended by this act, and section 144 of this act:

(1) "Board" means the board of directors of the Connecticut Health Insurance Exchange;

(2) "Commissioner" means the Insurance Commissioner;

(3) "Exchange" means the Connecticut Health Insurance Exchange established pursuant to section 38a-1081, as amended by this act;

(4) "Affordable Care Act" means the Patient Protection and Affordable Care Act, P.L. 111-148, as amended by the Health Care and

Education Reconciliation Act, P.L. 111-152, as both may be amended from time to time, and regulations adopted thereunder;

(5) (A) "Health benefit plan" means an insurance policy or contract offered, delivered, issued for delivery, renewed, amended or continued in the state by a health carrier to provide, deliver, pay for or reimburse any of the costs of health care services.

(B) "Health benefit plan" does not include:

(i) Coverage of the type specified in subdivisions (5), (6), (7), (8), (9), (14), (15) and (16) of section 38a-469 or any combination thereof;

(ii) Coverage issued as a supplement to liability insurance;

(iii) Liability insurance, including general liability insurance and automobile liability insurance;

(iv) Workers' compensation insurance;

(v) Automobile medical payment insurance;

(vi) Credit insurance;

(vii) Coverage for on-site medical clinics; or

(viii) Other similar insurance coverage specified in regulations issued pursuant to the Health Insurance Portability and Accountability Act of 1996, P.L. 104-191, as amended from time to time, under which benefits for health care services are secondary or incidental to other insurance benefits.

(C) "Health benefit plan" does not include the following benefits if they are provided under a separate insurance policy, certificate or contract or are otherwise not an integral part of the plan:

(i) Limited scope dental or vision benefits;

(ii) Benefits for long-term care, nursing home care, home health care, community-based care or any combination thereof; or

(iii) Other similar, limited benefits specified in regulations issued pursuant to the Health Insurance Portability and Accountability Act of 1996, P.L. 104-191, as amended from time to time;

(iv) Other supplemental coverage, similar to coverage of the type specified in subdivisions (9) and (14) of section 38a-469, provided under a group health plan.

(D) "Health benefit plan" does not include coverage of the type specified in subdivisions (3) and (13) of section 38a-469 or other fixed indemnity insurance if (i) such coverage is provided under a separate insurance policy, certificate or contract, (ii) there is no coordination between the provision of the benefits and any exclusion of benefits under any group health plan maintained by the same plan sponsor, and (iii) the benefits are paid with respect to an event without regard to whether benefits were also provided under any group health plan maintained by the same plan sponsor;

(6) "Health care services" has the same meaning as provided in section 38a-478;

(7) "Health carrier" means an insurance company, fraternal benefit society, hospital service corporation, medical service corporation health care center or other entity subject to the insurance laws and regulations of the state or the jurisdiction of the commissioner that contracts or offers to contract to provide, deliver, pay for or reimburse any of the costs of health care services;

(8) "Internal Revenue Code" means the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as amended from time to time;

(9) "Person" has the same meaning as provided in section 38a-1;

(10) "Qualified dental plan" means a limited scope dental plan that has been certified in accordance with subsection (e) of section 38a-1086;

(11) "Qualified employer" has the same meaning as provided in Section 1312 of the Affordable Care Act;

(12) "Qualified health plan" means a health benefit plan that has in effect a certification that the plan meets the criteria for certification described in Section 1311(c) of the Affordable Care Act and section 38a-1086;

(13) "Qualified individual" has the same meaning as provided in Section 1312 of the Affordable Care Act;

(14) "Secretary" means the Secretary of the United States Department of Health and Human Services;

(15) "Small employer" has the same meaning as provided in section 38a-564.

Sec. 137. Section 38a-1081 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There is hereby created as a body politic and corporate, constituting a public instrumentality and political subdivision of the state created for the performance of an essential public and governmental function, to be known as the Connecticut Health Insurance Exchange. The Connecticut Health Insurance Exchange shall not be construed to be a department, institution or agency of the state. The exchange shall serve both qualified individuals and qualified employers.

(b) (1) (A) The powers of the exchange shall be vested in and exercised by a board of directors, which, until the effective date of this

section, shall consist of twelve voting members. The appointment of the initial board members shall be as follows:

[(A)**]** (i) The Governor shall appoint two board members, one of whom shall have expertise in the area of individual health insurance coverage and shall serve for a term of three years and one of whom shall have expertise in issues relating to small employer health insurance coverage and shall serve for a term of two years;

[(B)**]** (ii) The president pro tempore of the Senate shall appoint one board member who shall have expertise in the area of health care finance and shall serve for a term of four years;

[(C)**]** (iii) The speaker of the House of Representatives shall appoint one board member who shall have expertise in the area of health care benefits plan administration and shall serve for a term of four years;

[(D)**]** (iv) The majority leader of the Senate shall appoint one board member who shall have expertise in the health care delivery systems and shall serve for a term of two years;

[(E)**]** (v) The majority leader of the House of Representatives shall appoint one board member who shall have expertise in the area of health care economics and shall serve for a term of two years;

[(F)**]** (vi) The minority leader of the Senate shall appoint one board member who shall have expertise in health care access issues faced by self-employed individuals and shall serve for a term of three years;

[(G)**]** (vii) The minority leader of the House of Representatives shall appoint one board member who shall have expertise concerning barriers to individual health care coverage and shall serve for a term of two years;

[(H)**]** (viii) The Commissioner of Social Services, the Special Advisor

to the Governor on Healthcare Reform, the Secretary of the Office of Policy and Management and the Healthcare Advocate, or their designees, who shall serve as ex-officio voting board members; and

[(I)**]** (ix) The Insurance Commissioner and the Commissioner of Public Health, or their designees, who shall serve as ex-officio nonvoting board members.

(B) On and after the effective date of this section, the board of directors shall consist of eleven voting members and three nonvoting members as follows: (i) The board members appointed pursuant to subparagraphs (A)(i) to (A)(vii), inclusive, of this subdivision; (ii) the Commissioner of Social Services, the Secretary of the Office of Policy and Management and the Healthcare Advocate, or their designees, who shall serve as ex-officio, voting board members; and (iii) the Insurance Commissioner and the Commissioners of Public Health and Mental Health and Addiction Services, or their designees, who shall serve as ex-officio, nonvoting board members. The provisions of this subparagraph shall not affect the terms of the board members set forth in subparagraphs (A)(i) to (A)(vii), inclusive, of this subdivision.

(2) (A) No board member shall be employed by, a consultant to, a member of the board of directors of, affiliated with or otherwise a representative of (i) an insurer, (ii) an insurance producer or broker, (iii) a health care provider, or (iv) a health care facility or health or medical clinic while serving on the board of the exchange. For purposes of this subdivision, "health care provider" means any person that is licensed in this state, or operates or owns a facility or institution in this state, to provide health care or health care professional services in this state, or an officer, employee or agent thereof acting in the course and scope of such officer's, employee's or agent's employment.

(B) No board member shall be a member of, a member of the board of, a consultant to or an employee of a trade association of (i) insurers,

(ii) insurance producers or brokers, (iii) health care providers, or (iv) health care facilities or health or medical clinics while serving on the board of the exchange.

(C) No board member shall be a health care provider unless such member receives no compensation for rendering services as a health care provider and does not have an ownership interest in a professional health care practice.

(c) (1) All initial appointments shall be made not later than July 1, 2011. Following the expiration of such initial terms, subsequent board member terms shall be for four years. Any vacancy shall be filled by the appointing authority for the balance of the unexpired term. If an appointing authority fails to make an initial appointment, or an appointment to fill a vacancy within ninety days of the date of such vacancy, the appointed board members may make such appointment by a majority vote. Any board member previously appointed to the board or appointed to fill a vacancy may be reappointed in accordance with this section. Any board member may be removed for misfeasance, malfeasance or wilful neglect of duty at the sole direction of the appointing authority.

(2) As a condition of qualifying as a member of the board of directors, each appointee shall, before entering upon such member's duties, take and subscribe the oath or affirmation required under section 1 of article eleventh of the Constitution of the state. A record of each such oath shall be filed in the office of the Secretary of the State.

(3) Appointed board members may not designate a representative to perform in their absence their respective duties under sections 38a-1080 to 38a-1090, inclusive, as amended by this act, and section 144 of this act. The Governor shall select a chairperson from among the board members and the board members shall annually elect a vice-chairperson. **[**The chairperson shall schedule the first meeting of the

board, which shall be held not later than August 1, 2011.**]** Meetings of the board of directors shall be held at such times as shall be specified in the bylaws adopted by the board and at such other time or times as the chairperson deems necessary. Any board member who fails to attend more than fifty per cent of all meetings held during any calendar year shall be deemed to have resigned from the board.

(4) **[**Seven**]** Six board members shall constitute a quorum for the transaction of any business or the exercise of any power of the exchange. For the transaction of any business or the exercise of any power of the exchange, the exchange may act by a majority of the board members present at any meeting at which a quorum is in attendance. No vacancy in the membership of the board of directors shall impair the right of such board members to exercise all the rights and perform all the duties of the board. Except as otherwise provided, any action taken by the board under the provisions of sections 38a-1080 to 38a-1090, inclusive, as amended by this act, and section 144 of this act may be authorized by resolution approved by a majority of the board members present at any regular or special meeting, which resolution shall take effect immediately unless otherwise provided in the resolution.

(5) Board members shall receive no compensation for their services but shall receive actual and necessary expenses incurred in the performance of their official duties.

(6) Subject to the provisions of subdivision (2) of subsection (b) of this section, board members may engage in private employment or in a profession or business, subject to any applicable laws, rules and regulations of the state or federal government regarding official ethics or conflicts of interest.

(7) Notwithstanding any provision of the general statutes, it shall not constitute a conflict of interest for a trustee, director, partner or

officer of any person, firm or corporation, or any individual having a financial interest in a person, firm or corporation, to serve as a board member of the exchange, provided such trustee, director, partner, officer or individual shall abstain from deliberation, action or vote by the exchange in specific request to such person, firm or corporation.

(8) Each board member shall execute a surety bond in the penal sum of fifty thousand dollars, or, in lieu thereof, the chairperson of the board shall execute a blanket position bond covering each board member, the chief executive officer and the employees of the exchange, each surety bond to be conditioned upon the faithful performance of the duties of the office or offices covered, to be executed by a surety company authorized to transact business in this state as surety and to be approved by the Attorney General and filed in the office of the Secretary of the State. The cost of each such bond shall be paid by the exchange.

(9) No board member of the exchange shall, for one year after the end of such member's service on the board, accept employment with any health carrier that offers a qualified health benefit plan through the exchange.

(d) (1) With respect to the initial appointment of a chief executive officer of the exchange, the board of directors shall nominate three candidates to the Governor, who shall make a selection from such nominations. After such initial appointment, the board shall select and appoint subsequent chief executive officers.

(2) The chief executive officer shall be responsible for administering the exchange's programs and activities in accordance with the policies and objectives established by the board. The chief executive officer (A) may employ such other employees as shall be designated by the board of directors, and (B) shall attend all meetings of the board, keep a record of all proceedings and maintain and be custodian of all records,

books, documents and papers filed with or compiled by the exchange.

(e) (1) (A) No employee of the exchange shall be employed by, a consultant to, a member of the board of directors of, affiliated with or otherwise a representative of (i) an insurer, (ii) an insurance producer or broker, (iii) a health care provider, or (iv) a health care facility or health or medical clinic while serving on the staff of the exchange. For purposes of this subdivision, "health care provider" means any person that is licensed in this state, or operates or owns a facility or institution in this state, to provide health care or health care professional services in this state, or an officer, employee or agent thereof acting in the course and scope of such officer's, employee's or agent's employment.

(B) No employee of the exchange shall be a member of, a member of the board of, a consultant to or an employee of a trade association of (i) insurers, (ii) insurance producers or brokers, (iii) health care providers, or (iv) health care facilities or health or medical clinics while serving on the staff of the exchange.

(C) No employee of the exchange shall be a health care provider unless (i) (I) such employee receives no compensation for rendering services as a health care provider, or (II) the chief executive officer approves the hiring of such provider as an employee on the basis that such provider fills an area of need of expertise for the exchange, and (ii) such employee does not have an ownership interest in a professional health care practice.

(2) No employee of the exchange shall, for one year after terminating employment with the exchange, accept employment with any health carrier that offers a qualified health benefit plan through the exchange.

(3) Any employee of the exchange whose primary purpose is to assist individuals or small employers in selecting health insurance

plans offered on the exchange to purchase shall be licensed as an insurance producer under chapter 701a not later than eighteen months after such employee begins employment with the exchange.

(4) Any employee of the exchange may enroll in a group hospitalization and medical and surgical insurance plan under subsection (a) of section 5-259, provided the exchange reimburses the appropriate state agencies for all costs incurred by such enrollment.

(f) The board may consult with such parties, public or private, as it deems desirable or necessary in exercising its duties under sections 38a-1080 to 38a-1090, inclusive, as amended by this act, and section 144 of this act.

(g) The board may create such advisory committees as it deems necessary to provide input on issues that may include, but are not limited to, customer service needs and insurance producer concerns.

Sec. 138. Subsection (a) of section 38a-1082 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The board of directors of the exchange shall adopt written procedures, in accordance with the provisions of section 1-121, for: (1) Adopting an annual budget and plan of operations, including a requirement of board approval before the budget or plan may take effect; (2) hiring, dismissing, promoting and compensating employees of the exchange, including an affirmative action policy and a requirement of board approval before a position may be created or a vacancy filled; (3) acquiring real and personal property and personal services, including a requirement of board approval for any nonbudgeted expenditure in excess of five thousand dollars; (4) contracting for financial, legal, bond underwriting and other professional services, including a requirement that the exchange solicit

proposals at least once every three years for each such service **[**which**]** that it uses; (5) issuing and retiring bonds, bond anticipation notes and other obligations of the authority; (6) establishing requirements for certification of qualified health plans that include, but are not limited to, minimum standards for marketing practices, network adequacy, essential community providers in underserved areas, accreditation, quality improvement, uniform enrollment forms and descriptions of coverage, and quality measures for health benefit plan performance; **[**and**]** (7) implementing the provisions of sections 38a-1080 to 38a-1090, inclusive, as amended by this act, or other provisions of the general statutes. Any such written procedures adopted pursuant to this subdivision **[**(7) of this subsection**]** shall not conflict with or prevent the application of regulations promulgated by the Secretary under the Affordable Care Act; (8) implementing and administering the all-payer claims database program established pursuant to section 144 of this act. Any such written procedures adopted pursuant to this subdivision shall include reporting requirements for reporting entities, as defined in section 144 of this act; and (9) providing notice to a reporting entity, as defined in section 144 of this act, of, and the rules of practice for a hearing process for, such reporting entity's alleged failure to comply with reporting requirements.

Sec. 139. Section 38a-1083 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) For purposes of sections 38a-1080 to 38a-1090, inclusive, as amended by this act, and section 144 of this act, "purposes of the exchange" means the purposes of the exchange expressed in and pursuant to this section, which are hereby determined to be public purposes for which public funds may be expended. The powers enumerated in this section shall be interpreted broadly to effectuate the purposes of the exchange and shall not be construed as a limitation of powers.

(b) The goals of the exchange shall be to reduce the number of individuals without health insurance in this state and assist individuals and small employers in the procurement of health insurance by, among other services, offering easily comparable and understandable information about health insurance options.

(c) The exchange is authorized and empowered to:

(1) Have perpetual successions as a body politic and corporate and to adopt bylaws for the regulation of its affairs and the conduct of its business;

(2) Adopt an official seal and alter the same at pleasure;

(3) Maintain an office in the state at such place or places as it may designate;

(4) Employ such assistants, agents, managers and other employees as may be necessary or desirable;

(5) Acquire, lease, purchase, own, manage, hold and dispose of real and personal property, and lease, convey or deal in or enter into agreements with respect to such property on any terms necessary or incidental to the carrying out of these purposes, provided all such acquisitions of real property for the exchange's own use with amounts appropriated by this state to the exchange or with the proceeds of bonds supported by the full faith and credit of this state shall be subject to the approval of the Secretary of the Office of Policy and Management and the provisions of section 4b-23;

(6) Receive and accept, from any source, aid or contributions, including money, property, labor and other things of value;

(7) Charge assessments or user fees to health carriers that are capable of offering a qualified health plan through the exchange or

otherwise generate funding necessary to support the operations of the exchange and impose interest and penalties on such health carriers for delinquent payments of such assessments or fees;

(8) Procure insurance against loss in connection with its property and other assets in such amounts and from such insurers as it deems desirable;

(9) Invest any funds not needed for immediate use or disbursement in obligations issued or guaranteed by the United States of America or the state and in obligations that are legal investments for savings banks in the state;

(10) Issue bonds, bond anticipation notes and other obligations of the exchange for any of its corporate purposes, and to fund or refund the same and provide for the rights of the holders thereof, and to secure the same by pledge of revenues, notes and mortgages of others;

(11) Borrow money for the purpose of obtaining working capital;

(12) Account for and audit funds of the exchange and any recipients of funds from the exchange;

(13) Make and enter into any contract or agreement necessary or incidental to the performance of its duties and execution of its powers. The contracts entered into by the exchange shall not be subject to the approval of any other state department, office or agency, provided copies of all contracts of the exchange shall be maintained by the exchange as public records, subject to the proprietary rights of any party to the contract;

(14) To the extent permitted under its contract with other persons, consent to any termination, modification, forgiveness or other change of any term of any contractual right, payment, royalty, contract or agreement of any kind to which the exchange is a party;

(15) Award grants to **[**Navigators as described in subdivision (19) of section 38a-1084 and in accordance with section 38a-1087**]** trained and certified individuals and institutions that will assist individuals, families and small employers and their employees in enrolling in appropriate coverage through the exchange. Applications for grants from the exchange shall be made on a form prescribed by the board;

(16) Limit the number of plans offered, and use selective criteria in determining which plans to offer, through the exchange, provided individuals and employers have an adequate number and selection of choices;

(17) Evaluate jointly with the SustiNet Health Care Cabinet the feasibility of implementing a basic health program option as set forth in Section 1331 of the Affordable Care Act;

(18) Sue and be sued, plead and be impleaded;

(19) Adopt regular procedures that are not in conflict with other provisions of the general statutes, for exercising the power of the exchange; and

(20) Do all acts and things necessary and convenient to carry out the purposes of the exchange, provided such acts or things shall not conflict with the provisions of the Affordable Care Act, regulations adopted thereunder or federal guidance issued pursuant to the Affordable Care Act.

Sec. 140. Section 38a-1084 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The exchange shall:

(1) Administer the exchange for both qualified individuals and qualified employers;

(2) Commission surveys of individuals, small employers and health care providers on issues related to health care and health care coverage;

(3) Implement procedures for the certification, recertification and decertification, consistent with guidelines developed by the Secretary under Section 1311(c) of the Affordable Care Act, and section 38a-1086, of health benefit plans as qualified health plans;

(4) Provide for the operation of a toll-free telephone hotline to respond to requests for assistance;

(5) Provide for enrollment periods, as provided under Section 1311(c)(6) of the Affordable Care Act;

(6) Maintain an Internet web site through which enrollees and prospective enrollees of qualified health plans may obtain standardized comparative information on such plans including, but not limited to, the enrollee satisfaction survey information under Section 1311(c)(4) of the Affordable Care Act and any other information or tools to assist enrollees and prospective enrollees evaluate qualified health plans offered through the exchange;

(7) Publish the average costs of licensing, regulatory fees and any other payments required by the exchange and the administrative costs of the exchange, including information on **[**monies**]** moneys lost to waste, fraud and abuse, on an Internet web site to educate individuals on such costs;

(8) **[**Assign**]** On or before the open enrollment period for plan year 2017, assign a rating to each qualified health plan offered through the exchange in accordance with the criteria developed by the Secretary under Section 1311(c)(3) of the Affordable Care Act, and determine each qualified health plan's level of coverage in accordance with regulations issued by the Secretary under Section 1302(d)(2)(A) of the

Affordable Care Act;

(9) Use a standardized format for presenting health benefit options in the exchange, including the use of the uniform outline of coverage established under Section 2715 of the Public Health Service Act, 42 USC 300gg-15, as amended from time to time;

(10) Inform individuals, in accordance with Section 1413 of the Affordable Care Act, of eligibility requirements for the Medicaid program under Title XIX of the Social Security Act, as amended from time to time, the Children's Health Insurance Program (CHIP) under Title XXI of the Social Security Act, as amended from time to time, or any applicable state or local public program, and enroll an individual in such program if the exchange determines, through screening of the application by the exchange, that such individual is eligible for any such program;

(11) Collaborate with the Department of Social Services, to the extent possible, to allow an enrollee who loses premium tax credit eligibility under Section 36B of the Internal Revenue Code and is eligible for HUSKY Plan, Part A or any other state or local public program, to remain enrolled in a qualified health plan;

(12) Establish and make available by electronic means a calculator to determine the actual cost of coverage after application of any premium tax credit under Section 36B of the Internal Revenue Code and any cost-sharing reduction under Section 1402 of the Affordable Care Act;

(13) Establish a program for small employers through which qualified employers may access coverage for their employees and that shall enable any qualified employer to specify a level of coverage so that any of its employees may enroll in any qualified health plan offered through the exchange at the specified level of coverage;

(14) Offer enrollees and small employers the option of having the

exchange collect and administer premiums, including through allocation of premiums among the various insurers and qualified health plans chosen by individual employers;

(15) Grant a certification, subject to Section 1411 of the Affordable Care Act, attesting that, for purposes of the individual responsibility penalty under Section 5000A of the Internal Revenue Code, an individual is exempt from the individual responsibility requirement or from the penalty imposed by said Section 5000A because:

(A) There is no affordable qualified health plan available through the exchange, or the individual's employer, covering the individual; or

(B) The individual meets the requirements for any other such exemption from the individual responsibility requirement or penalty;

(16) Provide to the Secretary of the Treasury of the United States the following:

(A) A list of the individuals granted a certification under subdivision (15) of this section, including the name and taxpayer identification number of each individual;

(B) The name and taxpayer identification number of each individual who was an employee of an employer but who was determined to be eligible for the premium tax credit under Section 36B of the Internal Revenue Code because:

(i) The employer did not provide minimum essential health benefits coverage; or

(ii) The employer provided the minimum essential coverage but it was determined under Section 36B(c)(2)(C) of the Internal Revenue Code to be unaffordable to the employee or not provide the required minimum actuarial value; and

(C) The name and taxpayer identification number of:

(i) Each individual who notifies the exchange under Section 1411(b)(4) of the Affordable Care Act that such individual has changed employers; and

(ii) Each individual who ceases coverage under a qualified health plan during a plan year and the effective date of that cessation;

(17) Provide to each employer the name of each employee, as described in subparagraph (B) of subdivision (16) of this section, of the employer who ceases coverage under a qualified health plan during a plan year and the effective date of the cessation;

(18) Perform duties required of, or delegated to, the exchange by the Secretary or the Secretary of the Treasury of the United States related to determining eligibility for premium tax credits, reduced cost-sharing or individual responsibility requirement exemptions;

(19) Select entities qualified to serve as Navigators in accordance with Section 1311(i) of the Affordable Care Act and award grants to enable Navigators to:

(A) Conduct public education activities to raise awareness of the availability of qualified health plans;

(B) Distribute fair and impartial information concerning enrollment in qualified health plans and the availability of premium tax credits under Section 36B of the Internal Revenue Code and cost-sharing reductions under Section 1402 of the Affordable Care Act;

(C) Facilitate enrollment in qualified health plans;

(D) Provide referrals to the Office of the Healthcare Advocate or health insurance ombudsman established under Section 2793 of the Public Health Service Act, 42 USC 300gg-93, as amended from time to

time, or any other appropriate state agency or agencies, for any enrollee with a grievance, complaint or question regarding the enrollee's health benefit plan, coverage or a determination under that plan or coverage; and

(E) Provide information in a manner that is culturally and linguistically appropriate to the needs of the population being served by the exchange;

(20) Review the rate of premium growth within and outside the exchange and consider such information in developing recommendations on whether to continue limiting qualified employer status to small employers;

(21) Credit the amount, in accordance with Section 10108 of the Affordable Care Act, of any free choice voucher to the monthly premium of the plan in which a qualified employee is enrolled and collect the amount credited from the offering employer;

(22) Consult with stakeholders relevant to carrying out the activities required under sections 38a-1080 to 38a-1090, inclusive, as amended by this act, including, but not limited to:

(A) Individuals who are knowledgeable about the health care system, have background or experience in making informed decisions regarding health, medical and scientific matters and are enrollees in qualified health plans;

(B) Individuals and entities with experience in facilitating enrollment in qualified health plans;

(C) Representatives of small employers and self-employed individuals;

(D) The Department of Social Services; and

(E) Advocates for enrolling hard-to-reach populations;

(23) Meet the following financial integrity requirements:

(A) Keep an accurate accounting of all activities, receipts and expenditures and annually submit to the Secretary, the Governor, the Insurance Commissioner and the General Assembly a report concerning such accountings;

(B) Fully cooperate with any investigation conducted by the Secretary pursuant to the Secretary's authority under the Affordable Care Act and allow the Secretary, in coordination with the Inspector General of the United States Department of Health and Human Services, to:

(i) Investigate the affairs of the exchange;

(ii) Examine the properties and records of the exchange; and

(iii) Require periodic reports in relation to the activities undertaken by the exchange; and

(C) Not use any funds in carrying out its activities under sections 38a-1080 to 38a-1089, inclusive, as amended by this act, and section 144 of this act that are intended for the administrative and operational expenses of the exchange, for staff retreats, promotional giveaways, excessive executive compensation or promotion of federal or state legislative and regulatory modifications;

(24) Seek to include the most comprehensive health benefit plans that offer high quality benefits at the most affordable price in the exchange; **[**and**]**

(25) Report at least annually to the General Assembly on the effect of adverse selection on the operations of the exchange and make legislative recommendations, if necessary, to reduce the negative

impact from any such adverse selection on the sustainability of the exchange, including recommendations to ensure that regulation of insurers and health benefit plans are similar for qualified health plans offered through the exchange and health benefit plans offered outside the exchange. The exchange shall evaluate whether adverse selection is occurring with respect to health benefit plans that are grandfathered under the Affordable Care Act, self-insured plans, plans sold through the exchange and plans sold outside the exchange; **[**.**]** and

(26) Seek funding for and oversee the planning, implementation and development of policies and procedures for the administration of the all-payer claims database program established under section 144 of this act.

Sec. 141. Subsection (a) of section 38a-1088 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The state of Connecticut does hereby pledge to, and agree with, any person with whom the exchange may enter into contracts pursuant to the provisions of sections 38a-1080 to 38a-1090, inclusive, as amended by this act, and section 144 of this act that the state will not limit or alter the rights hereby vested in the exchange until such contracts and the obligations thereunder are fully met and performed on the part of the exchange, except that nothing in this subsection shall preclude such limitation or alteration if adequate provision shall be made by law for the protection of such persons entering into contracts with the exchange.

Sec. 142. Subsection (a) of section 38a-1089 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Not later than January 1, 2012, and annually thereafter until

January 1, 2014, the chief executive officer of the exchange shall report, in accordance with section 11-4a, to the Governor and the General Assembly on a plan, and any revisions or amendments to such plan, to establish a health insurance exchange in the state. Such report shall address:

(1) Whether to establish two separate exchanges, one for the individual health insurance market and one for the small employer health insurance market, or to establish a single exchange;

(2) Whether to merge the individual and small employer health insurance markets;

(3) Whether to revise the definition of "small employer" from not more than fifty employees to not more than one hundred employees;

(4) Whether to allow large employers to participate in the exchange beginning in 2017;

(5) Whether to require qualified health plans to provide the essential health benefits package, as described in Section 1302(a) of the Affordable Care Act, or include additional state mandated benefits;

(6) Whether to list dental benefits separately on the exchange's Internet web site where a qualified health plan includes dental benefits;

(7) The relationship of the exchange to insurance producers;

(8) The capacity of the exchange to award Navigator grants pursuant to section 38a-1087;

(9) Ways to ensure that the exchange is financially sustainable by 2015, as required by the Affordable Care Act including, but not limited to, assessments or user fees charged to carriers; **[**and**]**

(10) Methods to independently evaluate consumers' experience, including, but not limited to, hiring consultants to act as secret shoppers; **[**.**]** and

(11) The status of the implementation and administration of the all-payer claims database program established under section 144 of this act.

Sec. 143. Section 38a-1090 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The exchange shall continue as long as it shall have legal authority to exist pursuant to the general statutes and until its existence is terminated by law. Upon the termination of the existence of the exchange, all its rights and properties shall pass to and be vested in the state of Connecticut.

(b) The exchange shall be subject to the Freedom of Information Act, as defined in section 1-200, except that: **[**the**]**

(1) The following information under sections 38a-1081 to 38a-1089, inclusive, as amended by this act, shall not be subject to disclosure under section 1-210: **[**(1)**]** (A) The names and applications of individuals and employers seeking coverage through the exchange; **[**(2)**]** (B) individuals' health information; and **[**(3)**]** (C) information exchanged between the exchange and the **[**(A)**]** (i) Departments of Social Services, Public Health and Revenue Services, **[**(B)**]** (ii) Insurance Department, **[**(C)**]** (iii) office of the Comptroller, or **[**(D)**]** (iv) any other state agency that is subject to confidentiality agreements under contracts entered into with the exchange; **[**.**]** and

(2) (A) Any disclosures made pursuant to subdivision (4) of subsection (b) of section 144 of this act of health information, as defined in 45 CFR 160.103, as amended from time to time, provided such health information is permitted to be disclosed under the Health

Insurance Portability and Accountability Act of 1996, P.L. 104-191, as amended from time to time, or regulations adopted thereunder, shall have identifiers removed, as set forth in 45 CFR 164.514, as amended from time to time; and

(B) Any disclosures made pursuant to subdivision (4) of subsection (b) of section 144 of this act of information other than health information shall be made in a manner to protect the confidentiality of such other information as required by state and federal law.

(c) Unless expressly specified, nothing in this section or sections 38a-1080 to 38a-1089, inclusive, and no action taken by the exchange pursuant to said sections shall be construed to preempt, supersede or affect the authority of the commissioner to regulate the business of insurance in the state. All health carriers offering qualified health plans in the state shall comply with all applicable health insurance laws of the state and regulations adopted and orders issued by the commissioner.

Sec. 144. (NEW) (*Effective from passage*) (a) As used in this section:

(1) "All-payer claims database" means a database that receives and stores data from a reporting entity relating to medical insurance claims, dental insurance claims, pharmacy claims and other insurance claims information from enrollment and eligibility files; and

(2) (A) "Reporting entity" means:

(i) An insurer, as described in section 38a-1 of the general statutes, licensed to do health insurance business in this state;

(ii) A health care center, as defined in section 38a-175 of the general statutes;

(iii) An insurer or health care center that provides coverage under

Part C or Part D of Title XVIII of the Social Security Act, as amended from time to time, to residents of this state;

(iv) A third-party administrator, as defined in section 38a-720 of the general statutes;

(v) A pharmacy benefits manager, as defined in section 38a-479aaa of the general statutes;

(vi) A hospital service corporation, as defined in section 38a-199 of the general statutes;

(vii) A nonprofit medical service corporation, as defined in section 38a-214 of the general statutes;

(viii) A fraternal benefit society, as described in section 38a-595 of the general statutes, that transacts health insurance business in this state;

(ix) A dental plan organization, as defined in section 38a-577 of the general statutes;

(x) A preferred provider network, as defined in section 38a-479aa of the general statutes; and

(xi) Any other person that administers health care claims and payments pursuant to a contract or agreement or is required by statute to administer such claims and payments.

(B) "Reporting entity" does not include an employee welfare benefit plan, as defined in the federal Employee Retirement Income Security Act of 1974, as amended from time to time, that is also a trust established pursuant to collective bargaining subject to the federal Labor Management Relations Act.

(b) (1) There is established an all-payer claims database program.

The exchange shall: (A) Oversee the planning, implementation and administration of the all-payer claims database program for the purpose of collecting, assessing and reporting health care information relating to safety, quality, cost-effectiveness, access and efficiency for all levels of health care; (B) ensure that data received from reporting entities is securely collected, compiled and stored in accordance with state and federal law; and (C) conduct audits of data submitted by reporting entities in order to verify its accuracy.

(2) The exchange shall seek funding from the federal government, other public sources and other private sources to cover costs associated with the planning, implementation and administration of the all-payer claims database program.

(3) (A) Upon the adoption of reporting requirements as set forth in section 38a-1082 of the general statutes, as amended by this act, a reporting entity shall report health care information for inclusion in the all-payer claims database in a form and manner prescribed by the exchange. The exchange may, after notice and hearing, impose a civil penalty on any reporting entity that fails to report health care information as prescribed. Such civil penalty shall not exceed one thousand dollars per day for each day of violation and shall not be imposed as a cost for the purpose of rate determination or reimbursement by a third-party payer.

(B) The chief executive officer may provide the name of any reporting entity on which such penalty has been imposed to the commissioner. After consultation with said officer, the commissioner may request the Attorney General to bring an action in the superior court for the judicial district of Hartford to recover any penalty imposed pursuant to subparagraph (A) of this subdivision.

(4) The exchange shall: (A) Utilize data in the all-payer claims database to provide health care consumers in the state with

information concerning the cost and quality of health care services that allows such consumers to make economically sound and medically appropriate health care decisions; and (B) make data in the all-payer claims database available to any state agency, insurer, employer, health care provider, consumer of health care services or researcher for the purpose of allowing such person or entity to review such data as it relates to health care utilization, costs or quality of health care services. Such disclosure shall be made in accordance with subdivision (2) of subsection (b) of section 38a-1090 of the general statutes, as amended by this act. The exchange may set a fee to be charged to each person or entity requesting access to data stored in the all-payer claims database.

(5) The exchange may (A) in consultation with the All-Payer Claims Database Advisory Group set forth in subsection (c) of this section, enter into a contract with a person or entity to plan, implement or administer the all-payer claims database program, (B) enter into a contract or take any action that is necessary to obtain fee-for-service health claims data under the state medical assistance program or Medicare Part A or Part B, and (C) enter into a contract for the collection, management or analysis of data received from reporting entities. Any such contract for the collection, management or analysis of such data shall expressly prohibit the disclosure of such data for purposes other than the purposes described in this subdivision.

(c) (1) There is established a working group to be known as the All-Payer Claims Database Advisory Group. Any member of the working group, as of June 30, 2013, shall continue to serve as a member of said group. Said group shall include, but not be limited to, the Secretary of the Office of Policy and Management, the Comptroller, the Commissioners of Public Health, Social Services and Mental Health and Addiction Services, the Insurance Commissioner, the Healthcare Advocate, the Chief Information Officer, a representative of the Connecticut State Medical Society, representatives of health insurance

companies, health insurance purchasers, hospitals, consumer advocates and health care providers. The chief executive officer of the exchange, in concurrence with the chairperson of the exchange, may appoint additional members to said group.

(2) The All-Payer Claims Database Advisory Group shall develop a plan to implement a state-wide multipayer data initiative to enhance the state's use of health care data from multiple sources to increase efficiency, enhance outcomes and improve the understanding of health care expenditures in the public and private sectors.

Sec. 145. Section 19a-725 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There is established within the office of the Lieutenant Governor, the SustiNet Health Care Cabinet for the purpose of advising the Governor **[**and the Office of Health Reform and Innovation**]** on the matters set forth in subsection (c) of this section.

(b) (1) The SustiNet Health Care Cabinet shall consist of the following members who shall be appointed on or before August 1, 2011: (A) Five appointed by the Governor, two of whom may represent the health care industry and shall serve for terms of four years, one of whom shall represent community health centers and shall serve for a term of three years, one of whom shall represent insurance producers and shall serve for a term of three years and one of whom shall be an at-large appointment and shall serve for a term of three years; (B) one appointed by the president pro tempore of the Senate, who shall be an oral health specialist engaged in active practice and shall serve for a term of four years; (C) one appointed by the majority leader of the Senate, who shall represent labor and shall serve for a term of three years; (D) one appointed by the minority leader of the Senate, who shall be an advanced practice registered nurse engaged in active practice and shall serve for a term of two years; (E) one appointed by

the speaker of the House of Representatives, who shall be a consumer advocate and shall serve for a term of four years; (F) one appointed by the majority leader of the House of Representatives, who shall be a primary care physician engaged in active practice and shall serve for a term of four years; (G) one appointed by the minority leader of the House of Representatives, who shall represent the health information technology industry and shall serve for a term of three years; (H) five appointed jointly by the chairpersons of the SustiNet Health Partnership board of directors, one of whom shall represent faith communities, one of whom shall represent small businesses, one of whom shall represent the home health care industry, one of whom shall represent hospitals, and one of whom shall be an at-large appointment, all of whom shall serve for terms of five years; (I) the Lieutenant Governor; (J) the Secretary of the Office of Policy and Management, or the secretary's designee; the Comptroller, or the Comptroller's designee; the **[**Special Advisor to the Governor on Healthcare Reform, or the special advisor's designee**]** chief executive officer of the Connecticut Health Insurance Exchange, or said officer's designee; the Commissioners of Social Services and Public Health, or their designees; and the Healthcare Advocate, or the Healthcare Advocate's designee, all of whom shall serve as ex-officio voting members; and (K) the Commissioners of Children and Families, Developmental Services and Mental Health and Addiction Services, and the Insurance Commissioner, or their designees, and the nonprofit liaison to the Governor, or the nonprofit liaison's designee, all of whom shall serve as ex-officio nonvoting members.

(2) Following the expiration of initial cabinet member terms, subsequent cabinet terms shall be for four years, commencing on August first of the year of the appointment. If an appointing authority fails to make an initial appointment to the cabinet or an appointment to fill a cabinet vacancy within ninety days of the date of such vacancy, the appointed cabinet members shall, by majority vote, make such

appointment to the cabinet.

(3) Upon the expiration of the initial terms of the five cabinet members appointed by SustiNet Health Partnership board of directors, five successor cabinet members shall be appointed as follows: (A) One appointed by the Governor; (B) one appointed by the president pro tempore of the Senate; (C) one appointed by the speaker of the House of Representatives; and (D) two appointed by majority vote of the appointed board members. Successor board members appointed pursuant to this subdivision shall be at-large appointments.

(4) The Lieutenant Governor shall serve as the chairperson of the SustiNet Health Care Cabinet. The Lieutenant Governor shall schedule the first meeting of the SustiNet Health Care Cabinet, which meeting shall be held not later than September 1, 2011.

(c) The SustiNet Health Care Cabinet shall advise the Governor **[**and the Office of Health Reform and Innovation**]** regarding the development of an integrated health care system for Connecticut and shall:

(1) Evaluate the means of ensuring an adequate health care workforce in the state;

(2) Jointly evaluate, with the chief executive officer of the Connecticut Health Insurance Exchange, the feasibility of implementing a basic health program option as set forth in Section 1331 of the Affordable Care Act;

(3) Identify short and long-range opportunities, issues and gaps created by the enactment of federal health care reform;

(4) **[**Coordinate with the Office of Health Reform and Innovation concerning**]** Review the effectiveness of delivery system reforms and other efforts to control health care costs, including, but not limited to,

reforms and efforts implemented by state agencies; and

[(5) (A) Develop a business plan to be provided to the Governor and the Office of Health Reform and Innovation that takes into account feasibility and risk assessments conducted pursuant to subsection (h) of section 19a-724 and evaluates private or public mechanisms that will provide adequate health insurance products commencing on January 1, 2014, including, but not limited to, for-profit and nonprofit organizations, insurance cooperatives and self-insurance, and (B) submit appropriate implementation recommendations for the Governor's consideration; and**]**

[(6)**]** (5) Advise the Governor on matters relating to: (A) The design, implementation, actionable objectives and evaluation of state and federal health care policies, priorities and objectives relating to the state's efforts to improve access to health care, and (B) the quality of such care and the affordability and sustainability of the state's health care system.

(d) The SustiNet Health Care Cabinet may convene working groups, which include volunteer health care experts, to make recommendations concerning the development and implementation of service delivery and health care provider payment reforms, including multipayer initiatives, medical homes, electronic health records and evidenced-based health care quality improvement.

(e) The office of the Lieutenant Governor and the Office of the Healthcare Advocate shall provide support staff to the SustiNet Health Care Cabinet.

Sec. 146. Section 14 of public act 11-53 is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The **[**Office of Health Reform and Innovation, in consultation with the**]** board of directors of the Connecticut Health Insurance

Exchange and the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies and insurance, shall prepare an analysis of the cost impact on the state and a cost-benefit analysis of the essential health benefits package, as described in Section 1302(a) of the Patient Protection and Affordable Care Act, P. L. 111-148, as amended from time to time, and coverage requirements under chapter 700c of the general statutes. Such analysis shall consider regulations issued by the Secretary of the United States Department of Health and Human Services pursuant to Section 1311 of the Patient Protection and Affordable Care Act, P. L. 111-148, as amended from time to time, and any applicable health benefit review report performed by the Insurance Department pursuant to section 38a-21 of the general statutes.

(b) Not later than sixty days after said secretary publishes the essential health benefits required under Section 1302 of the Patient Protection and Affordable Care Act, P. L. 111-148, as amended from time to time, **[**the Office of Health Reform and Innovation shall submit such analysis to the Governor,**]** the board of directors of the Connecticut Health Insurance Exchange shall submit such analysis to the Governor and the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies and insurance.

Sec. 147. Subsection (d) of section 3-123ddd of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) Nothing in sections 3-123aaa to 3-123hhh, inclusive, as amended by this act, 19a-654, **[**19a-724, 19a-724a,**]** 19a-725, 38a-513f, **[**or**]** 38a-513g or section 144 of this act shall diminish any right to retiree health insurance pursuant to a collective bargaining agreement or any other provision of the general statutes.

Sec. 148. Subsection (b) of section 3-123hhh of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Nothing in this section or sections 3-123aaa to 3-123ggg, inclusive, 19a-654, **[**19a-724, 19a-724a,**]** 19a-725, 38a-513f, **[**or**]** 38a-513g or section 144 of this act shall modify the state employee plan in any way without the written consent of the State Employees Bargaining Agent Coalition and the Secretary of the Office of Policy and Management.

Sec. 149. Section 104 of public act 13-184 is amended to read as follows (*Effective from passage*):

The sum of **[**$3,000,000**]** $5,700,000 shall be transferred from the State Banking Fund, established under section 36a-65 of the general statutes, and credited to the resources of the General Fund for the fiscal year ending June 30, 2015.

Sec. 150. Section 103 of public act 13-184 is amended to read as follows (*Effective from passage*):

The sum of **[**$8,000,000**]** $10,700,000 shall be transferred from the State Banking Fund, established under section 36a-65 of the general statutes, and credited to the resources of the General Fund for the fiscal year ending June 30, 2014.

Sec. 151. Subsections (a) and (b) of section 8-23 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) (1) At least once every ten years, the commission shall prepare or amend and shall adopt a plan of conservation and development for the municipality. Following adoption, the commission shall regularly review and maintain such plan. The commission may adopt such

geographical, functional or other amendments to the plan or parts of the plan, in accordance with the provisions of this section, as it deems necessary. The commission may, at any time, prepare, amend and adopt plans for the redevelopment and improvement of districts or neighborhoods which, in its judgment, contain special problems or opportunities or show a trend toward lower land values.

(2) If a plan is not amended decennially, the chief elected official of the municipality shall submit a letter to the Secretary of the Office of Policy and Management and the Commissioners of Transportation, Environmental Protection and Economic and Community Development that explains why such plan was not amended. A copy of such letter shall be included in each application by the municipality for discretionary state funding submitted to any state agency.

(3) Notwithstanding any provision of subdivisions (1) and (2) of this subsection, no commission shall be obligated to prepare or amend a plan of conservation and development for such municipality from July 1, 2010, to June 30, **[**2013**]** 2014, inclusive.

(b) On and after the first day of July following the adoption of the state Conservation and Development Policies Plan 2013-2018, in accordance with section 16a-30, a municipality that fails to comply with the requirements of subdivisions (1) and (2) of subsection (a) of this section shall be ineligible for discretionary state funding unless such prohibition is expressly waived by the secretary, except that any municipality that does not prepare or amend a plan of conservation and development pursuant to subdivision (3) of subsection (a) of this section shall continue to be eligible for discretionary state funding unless such municipality fails to comply with the requirements of said subdivisions (1) and (2) on or after July 1, **[**2014**]** 2015.

Sec. 152. Section 10-262f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

Whenever used in this section and sections 10-262h to 10-262j, inclusive, as amended by this act:

(1) "Adjusted equalized net grand list" means the equalized net grand list of a town multiplied by its income adjustment factor.

(2) "Base aid ratio" means (A) for the fiscal years ending June 30, 2008, to June 30, 2013, inclusive, one minus the ratio of a town's wealth to the state guaranteed wealth level, provided no town's aid ratio shall be less than nine one-hundredths, except for towns which rank from one to twenty when all towns are ranked in descending order from one to one hundred sixty-nine based on the ratio of the number of children below poverty to the number of children age five to seventeen, inclusive, the town's aid ratio shall not be less than thirteen one-hundredths when based on data used to determine the grants pursuant to section 10-262h of the general statutes, revision of 1958, revised to January 1, 2013, for the fiscal year ending June 30, 2008, and (B) for the fiscal year ending June 30, 2014, and each fiscal year thereafter, one minus the town's wealth adjustment factor, except that a town's aid ratio shall not be less than (i) ten one-hundredths for a town designated as an alliance district, as defined in section 10-262u, as amended by this act, and (ii) two one-hundredths for a town that is not designated as an alliance district.

(3) "Income adjustment factor" means the average of a town's per capita income divided by the per capita income of the town with the highest per capita income in the state and a town's median household income divided by the median household income of the town with the highest median household income in the state.

(4) "Median household income" for each town means that enumerated in the most recent federal decennial census of population or that enumerated in the current population report series issued by the United States Department of Commerce, Bureau of the Census,

whichever is more recent and available on January first of the fiscal year two years prior to the fiscal year in which payment is to be made pursuant to section 10-262i, as amended by this act.

(5) "Supplemental aid factor" means for each town the average of its percentage of children eligible under the temporary family assistance program and its grant mastery percentage.

(6) "Percentage of children eligible under the temporary family assistance program" means the town's number of children under the temporary family assistance program divided by the number of children age five to seventeen, inclusive, in the town.

(7) "Average mastery percentage" means for each school year the average of the three most recent mastery percentages available on December first of the school year.

(8) "Equalized net grand list", for purposes of calculating the amount of grant to which any town is entitled in accordance with section 10-262h, as amended by this act, means the average of the net grand lists of the town upon which taxes were levied for the general expenses of the town two, three and four years prior to the fiscal year in which such grant is to be paid, provided such net grand lists are equalized in accordance with section 10-261a.

(9) "Foundation" means (A) for the fiscal year ending June 30, 1990, three thousand nine hundred eighteen dollars, (B) for the fiscal year ending June 30, 1991, four thousand one hundred ninety-two dollars, (C) for the fiscal year ending June 30, 1992, four thousand four hundred eighty-six dollars, (D) for the fiscal years ending June 30, 1993, June 30, 1994, and June 30, 1995, four thousand eight hundred dollars, (E) for the fiscal years ending June 30, 1996, June 30, 1997, and June 30, 1998, five thousand seven hundred eleven dollars, (F) for the fiscal year ending June 30, 1999, five thousand seven hundred seventy-

five dollars, (G) for the fiscal years ending June 30, 2000, to June 30, 2007, inclusive, five thousand eight hundred ninety-one dollars, **[**and**]** (H) for the fiscal years ending June 30, 2008, to June 30, 2013, inclusive, nine thousand six hundred eighty-seven dollars, and (I) for the fiscal year ending June 30, 2014, and each fiscal year thereafter, eleven thousand five hundred twenty-five dollars.

(10) "Number of children age five to seventeen, inclusive" means that enumerated in the most recent federal decennial census of population or enumerated in the current population report series issued by the United States Department of Commerce, Bureau of the Census, whichever is more recent and available on January first of the fiscal year two years prior to the fiscal year in which payment is to be made pursuant to section 10-262i, as amended by this act.

(11) "Supplemental aid ratio" means .04 times the supplemental aid factor of a town divided by the highest supplemental aid factor when all towns are ranked from low to high, provided any town whose percentage of children eligible under the temporary family assistance program exceeds twenty-five shall have a supplemental aid ratio of .04.

(12) "Grant mastery percentage" means (A) for the school year ending June 30, 1989, average mastery percentage, and (B) for the school years ending June 30, 1990, through the school year ending June 30, 1995, the average mastery percentage plus the mastery improvement bonus, and (C) for each school year thereafter, the average mastery percentage.

(13) "Mastery count" of a town means for each school year the grant mastery percentage of the town multiplied by the number of resident students.

(14) "Mastery improvement bonus" means for each school year

through the school year ending June 30, 1995, seventy-five per cent of the difference between (A) the grant mastery percentage for the previous school year, and (B) the average mastery percentage for the school year, but not less than zero.

(15) "Mastery percentage" of a town for any school year means, using the mastery test data of record for the examination administered in such year, the number obtained by dividing (A) the total number of valid tests with scores below the state-wide standard for remedial assistance as determined by the Department of Education in each subject of the examinations pursuant to subdivisions (1) and (2) of subsection (a) of section 10-14n taken by resident students, by (B) the total number of such valid tests taken by such students.

(16) "Mastery test data of record" means (A) for any examination administered prior to the 2005-2006 school year, the data of record on the April thirtieth subsequent to the administration of the examinations pursuant to subdivisions (1) and (2) of subsection (a) of section 10-14n, except that school districts may, not later than the March first following the administration of an examination, file a request with the Department of Education for an adjustment of the mastery test data from such examination, and (B) for examinations administered in the 2005-2006 school year and each school year thereafter, the data of record on the December thirty-first subsequent to the administration of the examinations pursuant to subdivisions (1) and (2) of subsection (c) of section 10-14n, or such data adjusted by the Department of Education pursuant to a request by a local or regional board of education for an adjustment of the mastery test data from such examination filed with the department not later than the November thirtieth following the administration of the examination.

(17) "Number of children under the temporary family assistance program" means the number obtained by adding together the unduplicated aggregate number of children five to eighteen years of

age eligible to receive benefits under the temporary family assistance program or its predecessor federal program, as appropriate, in October and May of each fiscal year, and dividing by two, such number to be certified and submitted annually, no later than the first day of July of the succeeding fiscal year, to the Commissioner of Education by the Commissioner of Social Services.

(18) "Per capita income" for each town means that enumerated in the most recent federal decennial census of population or that enumerated in the current population report series issued by the United States Department of Commerce, Bureau of the Census, whichever is more recent and available on January first of the fiscal year two years prior to the fiscal year in which payment is to be made pursuant to section 10-262i, as amended by this act.

(19) "Regional bonus" means, for any town which is a member of a regional school district and has students who attend such regional school district, an amount equal to one hundred dollars for each such student enrolled in the regional school district on October first or the full school day immediately preceding such date for the school year prior to the fiscal year in which the grant is to be paid multiplied by the ratio of the number of grades, kindergarten to grade twelve, inclusive, in the regional school district to thirteen.

(20) "Regular program expenditures" means (A) total current educational expenditures less (B) expenditures for (i) special education programs pursuant to subsection (h) of section 10-76f, (ii) **[**pupil transportation eligible for reimbursement pursuant to section 10-266m, (iii)**]** land and capital building expenditures, and equipment otherwise supported by a state grant pursuant to chapter 173, including debt service, **[**(iv)**]** (iii) health services for nonpublic school children, **[**(v)**]** (iv) adult education, (C) expenditures directly attributable to (i) state grants received by or on behalf of school districts except grants for the categories of expenditures listed in subparagraphs (B)(i) to (B)(v),

inclusive, of this subdivision and except grants received pursuant to section 10-262i, as amended by this act, and section 10-262c of the general statutes, revision of 1958, revised to January 1, 1987, and except grants received pursuant to chapter 173, (ii) federal grants received by or on behalf of school districts except for adult education and federal impact aid, and (iii) receipts from the operation of child nutrition services and student activities services, (D) expenditures of funds from private and other sources, and (E) tuition received on account of nonresident students. The town of Woodstock may include as part of the current expenses of its public schools for each school year the amount expended for current expenses in that year by Woodstock Academy from income from its endowment funds upon receipt from said academy of a certified statement of such current expenses. The town of Winchester may include as part of the current expenses of its public school for each school year the amount expended for current expenses in that year by the Gilbert School from income from its endowment funds upon receipt from said school of a certified statement of such current expenses.

(21) "Regular program expenditures per need student" means, in any year, the regular program expenditures of a town for such year divided by the number of total need students in the town for such school year, provided for towns which are members of a kindergarten to grade twelve, inclusive, regional school district and for such regional school district, "regular program expenditures per need student" means, in any year, the regular program expenditures of such regional school district divided by the sum of the number of total need students in all such member towns.

(22) "Resident students" means the number of pupils of the town enrolled in public schools at the expense of the town on October first or the full school day immediately preceding such date, provided the number shall be decreased by the Department of Education for failure

to comply with the provisions of section 10-16 and shall be increased by one one-hundred-eightieth for each full-time equivalent school day in the school year immediately preceding such date of at least five hours of actual school work in excess of one hundred eighty days and nine hundred hours of actual school work and be increased by the full-time equivalent number of such pupils attending the summer sessions immediately preceding such date at the expense of the town; "enrolled" shall include pupils who are scheduled for vacation on the above date and who are expected to return to school as scheduled. Pupils participating in the program established pursuant to section 10-266aa shall be counted in accordance with the provisions of subsection (h) of section 10-266aa.

(23) "Schools" means nursery schools, kindergarten and grades one to twelve, inclusive.

(24) "State guaranteed wealth level" means (A) for the fiscal year ending June 30, 1990, 1.8335 times the town wealth of the town with the median wealth as calculated using the data of record on December first of the fiscal year prior to the year in which the grant is to be paid pursuant to section 10-262i, as amended by this act, (B) for the fiscal years ending June 30, 1991, and 1992, 1.6651 times the town wealth of the town with such median wealth, (C) for the fiscal years ending June 30, 1993, June 30, 1994, and June 30, 1995, 1.5361 times the town wealth of the town with the median wealth, (D) for the fiscal years ending June 30, 1996, to June 30, 2007, inclusive, 1.55 times the town wealth of the town with the median wealth, and (E) for the fiscal year ending June 30, 2008, and each fiscal year thereafter, 1.75 times the town wealth of the town with the median wealth.

(25) "Total need students" means the sum of (A) the number of resident students of the town for the school year, (B) (i) for any school year commencing prior to July 1, 1998, one-quarter the number of children under the temporary family assistance program for the prior

fiscal year, and (ii) for the school years commencing July 1, 1998, to July 1, 2006, inclusive, one-quarter the number of children under the temporary family assistance program for the fiscal year ending June 30, 1997, (C) for school years commencing July 1, 1995, to July 1, 2006, inclusive, one-quarter of the mastery count for the school year, (D) for school years commencing July 1, 1995, to July 1, 2006, inclusive, ten per cent of the number of eligible children, as defined in subdivision (1) of section 10-17e, for whom the board of education is not required to provide a program pursuant to section 10-17f, (E) for the school **[**year**]** years commencing July 1, 2007, **[**and each school year thereafter**]** to July 1, 2012, inclusive, fifteen per cent of the number of eligible students, as defined in subdivision (1) of section 10-17e, for whom the board of education is not required to provide a program pursuant to section 10-17f, **[**and**]** (F) for the school **[**year**]** years commencing July 1, 2007, **[**and each school year thereafter**]** to July 1, 2012, inclusive, thirty-three per cent of the number of children below the level of poverty, and (G) for the school year commencing July 1, 2013, and each school year thereafter, thirty per cent of the number of children eligible for free or reduced price meals or free milk.

(26) "Town wealth" means the average of a town's adjusted equalized net grand list divided by its total need students for the fiscal year prior to the year in which the grant is to be paid and its adjusted equalized net grand list divided by its population.

(27) "Population" of a town means that enumerated in the most recent federal decennial census of population or that enumerated in the current population report series issued by the United States Department of Commerce, Bureau of the Census available on January first of the fiscal year two years prior to the fiscal year in which a grant is to be paid, whichever is most recent; except that any town whose enumerated population residing in state and federal institutions within such town and attributed to such town by the census exceeds forty per

cent of such "population" shall have its population adjusted as follows: Persons who are incarcerated or in custodial situations, including, but not limited to jails, prisons, hospitals or training schools or persons who reside in dormitory facilities in schools, colleges, universities or on military bases shall not be counted in the "population" of a town.

(28) "Base revenue" for the fiscal year ending June 30, 1995, means the sum of the grant entitlements for the fiscal year ending June 30, 1995, of a town pursuant to section 10-262h of the general statutes, revision of 1958, revised to January 1, 2013, and subsection (a) of section 10-76g, including its proportional share, based on enrollment, of the revenue paid pursuant to section 10-76g, as amended by this act, to the regional district of which the town is a member, and for each fiscal year thereafter means the amount of each town's entitlement pursuant to section 10-262h of the general statutes, revision of 1958, revised to January 1, 2013, minus its density supplement, as determined pursuant to subdivision (6) of subsection (a) of section 10-262h of the general statutes, revision of 1958, revised to January 1, 2013, except that for the fiscal year ending June 30, 2003, each town's entitlement shall be determined without using the adjustments made to the previous year's grant pursuant to subparagraph (M) of subdivision (6) of subsection (a) of section 10-262h of the general statutes, revision of 1958, revised to January 1, 2013, except that for the fiscal year ending June 30, 2004, each town's entitlement shall be determined without using the adjustments made to the previous year's grant pursuant to subparagraph (N) of subdivision (6) of subsection (a) of section 10-262h of the general statutes, revision of 1958, revised to January 1, 2013.

(29) "Density" means the population of a town divided by the square miles of a town.

(30) "Density aid ratio" means the product of (A) the density of a town divided by the density of the town in the state with the highest

density, and (B) .006273.

(31) "Mastery goal improvement count" means the product of (A) the difference between the percentage of state-wide mastery examination scores, pursuant to subdivisions (1) and (2) of subsection (a) of section 10-14n, at or above the mastery goal level for the most recently completed school year and the percentage of such scores for the prior school year, and (B) the resident students of the town, or zero, whichever is greater.

(32) "Target aid" means the sum of (A) the product of a town's base aid ratio, the foundation level and the town's total need students for the fiscal year prior to the year in which the grant is to be paid, (B) the product of a town's supplemental aid ratio, the foundation level and the sum of the portion of its total need students count described in subparagraphs (B) and (C) of subdivision (25) of this section for the fiscal year prior to the fiscal year in which the grant is to be paid, and the adjustments to its resident student count described in subdivision (22) of this section relative to length of school year and summer school sessions, and (C) the town's regional bonus.

(33) "Fully funded grant" means the sum of (A) the product of a town's base aid ratio, the foundation level and the town's total need students for the fiscal year prior to the year in which the grant is to be paid, and (B) the town's regional bonus.

(34) "Number of children below the level of poverty" means the number of children, ages five to seventeen, inclusive, in families in poverty, as determined under Part A of Title I of the No Child Left Behind Act, P.L. 107-110. The count for member towns of regional school districts shall be the sum of towns' initial determination under Title I and the proportionate share of the regional districts determination based member enrollment in the regional district.

(35) "Current program expenditures" means (A) total current educational expenditures less (B) expenditures for (i) land and capital building expenditures, and equipment otherwise supported by a state grant pursuant to chapter 173, including debt service, (ii) health services for nonpublic school children, and (iii) adult education, (C) expenditures directly attributable to (i) state grants received by or on behalf of school districts except grants for the categories of expenditures listed in subparagraphs (B)(i) to (B)(iii), inclusive, of this subdivision and except grants received pursuant to section 10-262i, as amended by this act, and section 10-262c of the general statutes, revision of 1958, revised to January 1, 1987, and except grants received pursuant to chapter 173, (ii) federal grants received by or on behalf of school districts except for adult education and federal impact aid, and (iii) receipts from the operation of child nutrition services and student activities services, (D) expenditures of funds from private and other sources, and (E) tuition received on account of nonresident students. The town of Woodstock may include as part of the current expenses of its public schools for each school year the amount expended for current expenses in that year by Woodstock Academy from income from its endowment funds upon receipt from said academy of a certified statement of such current expenses. The town of Winchester may include as part of the current expenses of its public school for each school year the amount expended for current expenses in that year by the Gilbert School from income from its endowment funds upon receipt from said school of a certified statement of such current expenses.

(36) "Current program expenditures per resident student" means, in any year, the current program expenditures of a town for such year divided by the number of resident students in the town for such school year.

(37) "Base aid" means the amount of the grant pursuant to section

10-262h of the general statutes, revision of 1958, revised to January 1, 2013, that a town was eligible to receive for the fiscal year ending June 30, **[**2007**]** 2013.

(38) "Local funding percentage" means that for the fiscal year two years prior to the fiscal year in which the grant is to be paid pursuant to section 10-262i, as amended by this act, the number obtained by dividing (A) total current educational expenditures less (i) expenditures for (I) land and capital building expenditures, and equipment otherwise supported by a state grant pursuant to chapter 173, including debt service, (II) health services for nonpublic school children, and (III) adult education, (ii) expenditures directly attributable to (I) state grants received by or on behalf of school districts, except those grants for the categories of expenditures described in subparagraphs (A)(i)(I) to (A)(i)(III), inclusive, of this subdivision, and except grants received pursuant to chapter 173, (II) federal grants received by or on behalf of local or regional boards of education, except those grants for adult education and federal impact aid, and (III) receipts from the operation of child nutrition services and student activities services, (iii) expenditures of funds from private and other sources, and (iv) tuition received by the district for the education of nonresident students, by (B) total current educational expenditures less expenditures for (i) land and capital building expenditures, and equipment otherwise supported by a state grant pursuant to chapter 173, including debt service, (ii) health services for nonpublic school children, and (iii) adult education.

(39) "Minimum local funding percentage" means (A) for the fiscal year ending June 30, 2013, twenty per cent, (B) for the fiscal year ending June 30, 2014, twenty-one per cent, (C) for the fiscal year ending June 30, 2015, twenty-two per cent, (D) for the fiscal year ending June 30, 2016, twenty-three per cent, and (E) for the fiscal year ending June 30, 2017, twenty-four per cent.

(40) "Number of children eligible for free or reduced price meals or free milk" means the number of pupils of the town enrolled in public schools at the expense of the town on October first or the full school day immediately preceding such date, in families that meet the income eligibility guidelines established by the federal Department of Agriculture for free or reduced price meals or free milk under the National School Lunch Program, established pursuant to P.L. 79-396.

(41) "Equalized net grand list per capita" means the equalized net grand list of a town divided by the population of such town.

(42) "Equalized net grand list adjustment factor" means the ratio of the town's equalized net grant list per capita to one and one-half times the town equalized net grand list per capita of the town with the median equalized net grand list per capita.

(43) "Median household income adjustment factor" means the ratio of the median household income of the town to one and one-half times the median household income of the town with the median household income.

(44) "Wealth adjustment factor" means the sum of a town's equalized net grand list adjustment factor multiplied by ninety one-hundredths per cent and a town's median household income adjustment factor multiplied by ten one-hundredths per cent.

Sec. 153. Section 10-262h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

[(a) Each town maintaining public schools according to law shall be entitled to an equalization aid grant as follows:

(1) For the fiscal year ending June 30, 1990, a grant in an amount equal to the sum of (A) the town's base aid and (B) twenty-one and one-half per cent of the difference between the town's target grant and

its base aid;

(2) For the fiscal year ending June 30, 1991, a grant in an amount equal to the sum of (A) the town's base aid and (B) forty-five per cent of the difference between the town's target grant and its base aid;

(3) For the fiscal year ending June 30, 1992, a grant in an amount equal to the sum of (A) the town's base aid plus seventy-one per cent of the difference between the town's target grant aid and its base aid and (B) for towns whose minimum aid or enhancement aid, whichever is applicable, is more than the amount determined pursuant to subparagraph (A) of this subdivision, a percentage, determined pursuant to subparagraph (C) of this subdivision, of the difference between such minimum aid or enhancement aid, whichever is applicable, and the amount determined pursuant to said subparagraph (A). (C) Such percentage shall be determined as follows: (i) Towns whose minimum aid or enhancement aid, whichever is applicable, is more than the amount determined pursuant to said subparagraph (A) shall be ranked in descending order based on the average of the grant mastery percentage of such town, as defined in subdivision (8) of section 10-262f, for the school year prior to the school year in which the grant is to be paid and the ratio of the number of children in such town under the aid to families with dependent children program, as defined in subdivision (14) of said section, to the resident students of such town, as defined in subdivision (19) of said section, for the school year two years prior to the fiscal year in which the grant is to be paid, (ii) based upon such ranking, a percentage of not more than eighty and not less than thirty-eight and two-tenths shall be determined for each town on a continuous scale, except that the percentage for minimum aid towns shall be twenty-five per cent;

(4) For the fiscal year ending June 30, 1993, a grant in the amount equal to the sum of (A) the product of the town's aid ratio, the foundation level and the town's total need students for the prior school

year, and (B) the town's regional bonus, and (C) for any town whose grant is less than the grant it received in the previous fiscal year, the product of such difference and the sum of such town's grant mastery percentage, as defined in subdivision (8) of section 10-262f, for the school year prior to the school year in which the grant is to be paid and the ratio of the number of children in such town under the aid to families with dependent children program, as defined in subdivision (14) of said section 10-262f, to the resident students of such town, as defined in subdivision (19) of said section 10-262f, for the school year two years prior to the fiscal year in which the grant is to be paid, except such sum shall be adjusted to the greater amount as follows: (i) If such sum is forty or more it shall be multiplied by two, (ii) for towns whose rank when all towns are ranked in ascending order from one to one hundred sixty-nine based on equalized mill rate is greater than eighty-five, such sum shall be fifty and (iii) for towns which received payments pursuant to section 32-9s, during the fiscal year ending June 30, 1992, such sum shall be fifty, and (D) provided no town shall receive a grant greater than one hundred four and thirty-five hundredths per cent of its previous year's grant;

(5) For the fiscal years ending June 30, 1994, and June 30, 1995, a grant in an amount equal to the sum of (A) the product of the town's aid ratio, the foundation level and the town's total need students for the prior fiscal year, and (B) the town's regional bonus, except that no town shall receive a grant smaller than the grant it received in the previous fiscal year;

(6) For the fiscal year ending June 30, 1996, and each fiscal year thereafter, a grant in an amount equal to the sum of any amounts paid to the town pursuant to subdivision (1) of subsection (d) of section 10-66ee, and the amount of its target aid as described in subdivision (32) of section 10-262f except that such amount of target aid shall be capped in accordance with the following: (A) For the fiscal years ending June

30, 1996, June 30, 1997, June 30, 1998, and June 30, 1999, for each town, the maximum percentage increase over its previous year's base revenue shall be the product of five per cent and the ratio of the wealth of the town ranked one hundred fifty-third when all towns are ranked in descending order to each town's wealth, provided no town shall receive an increase greater than five per cent. (B) For the fiscal years ending June 30, 2000, June 30, 2001, June 30, 2002, June 30, 2003, and June 30, 2004, for each town, the maximum percentage increase over its previous year's base revenue shall be the product of six per cent and the ratio of the wealth of the town ranked one hundred fifty-third when all towns are ranked in descending order to each town's wealth, provided no town shall receive an increase greater than six per cent. (C) No such cap shall be used for the fiscal year ending June 30, 2005, or any fiscal year thereafter. (D) For the fiscal year ending June 30, 1996, for each town, the maximum percentage reduction from its previous year's base revenue shall be equal to the product of three per cent and the ratio of each town's wealth to the wealth of the town ranked seventeenth when all towns are ranked in descending order, provided no town's grant shall be reduced by more than three per cent. (E) For the fiscal years ending June 30, 1997, June 30, 1998, and June 30, 1999, for each town, the maximum percentage reduction from its previous year's base revenue shall be equal to the product of five per cent and the ratio of each town's wealth to the wealth of the town ranked seventeenth when all towns are ranked in descending order, provided no town's grant shall be reduced by more than five per cent. (F) For the fiscal year ending June 30, 2000, and each fiscal year thereafter, no town's grant shall be less than the grant it received for the prior fiscal year. (G) For each fiscal year prior to the fiscal year ending June 30, 2008, except for the fiscal year ending June 30, 2004, in addition to the amount determined pursuant to this subdivision, a town shall be eligible for a density supplement if the density of the town is greater than the average density of all towns in the state. The density supplement shall be determined by multiplying the density aid

ratio of the town by the foundation level and the town's total need students for the prior fiscal year provided, for the fiscal year ending June 30, 2000, and each fiscal year thereafter, no town's density supplement shall be less than the density supplement such town received for the prior fiscal year. (H) For the fiscal year ending June 30, 1997, the grant determined in accordance with this subdivision for a town ranked one to forty-two when all towns are ranked in descending order according to town wealth shall be further reduced by one and two-hundredths of a per cent and such grant for all other towns shall be further reduced by fifty-six-hundredths of a per cent. (I) For the fiscal year ending June 30, 1998, and each fiscal year thereafter, no town whose school district is a priority school district shall receive a grant pursuant to this subdivision in an amount that is less than the amount received under such grant for the prior fiscal year. (J) For the fiscal year ending June 30, 2000, and each fiscal year through the fiscal year ending June 30, 2003, no town whose school district is a priority school district shall receive a grant pursuant to this subdivision that provides an amount of aid per resident student that is less than the amount of aid per resident student provided under the grant received for the prior fiscal year. (K) For the fiscal year ending June 30, 1998, and each fiscal year thereafter, no town whose school district is a priority school district shall receive a grant pursuant to this subdivision in an amount that is less than seventy per cent of the sum of (i) the product of a town's base aid ratio, the foundation level and the town's total need students for the fiscal year prior to the year in which the grant is to be paid, (ii) the product of a town's supplemental aid ratio, the foundation level and the sum of the portion of its total need students count described in subparagraphs (B) and (C) of subdivision (25) of section 10-262f for the fiscal year prior to the fiscal year in which the grant is to be paid, and the adjustments to its resident student count described in subdivision (22) of said section 10-262f relative to length of school year and summer school sessions, and (iii) the town's regional bonus. (L) For the fiscal year ending June 30,

2000, and each fiscal year thereafter, no town whose school district is a transitional school district shall receive a grant pursuant to this subdivision in an amount that is less than forty per cent of the sum of (i) the product of a town's base aid ratio, the foundation level and the town's total need students for the fiscal year prior to the fiscal year in which the grant is to be paid, (ii) the product of a town's supplemental aid ratio, the foundation level and the sum of the portion of its total need students count described in subparagraphs (B) and (C) of subdivision (25) of section 10-262f for the fiscal year prior to the fiscal year in which the grant is to be paid, and the adjustments to its resident student count described in subdivision (22) of said section 10-262f relative to length of school year and summer school sessions, and (iii) the town's regional bonus. (M) For the fiscal year ending June 30, 2002, (i) each town whose target aid is capped pursuant to this subdivision shall receive a grant that includes a pro rata share of twenty-five million dollars based on the difference between its target aid and the amount of the grant determined with the cap, and (ii) all towns shall receive a grant that is at least 1.68 per cent greater than the grant they received for the fiscal year ending June 30, 2001. (N) For the fiscal year ending June 30, 2003, (i) each town whose target aid is capped pursuant to this subdivision shall receive a pro rata share of fifty million dollars based on the difference between its target aid and the amount of the grant determined with the cap, and (ii) each town shall receive a grant that is at least 1.2 per cent more than its base revenue, as defined in subdivision (28) of section 10-262f. (O) For the fiscal year ending June 30, 2003, each town shall receive a grant that is at least equal to the grant it received for the prior fiscal year. (P) For the fiscal year ending June 30, 2004, (i) each town whose target aid is capped pursuant to this subdivision shall receive a grant that includes a pro rata share of fifty million dollars based on the difference between its target aid and the amount of the grant determined with the cap, (ii) each town's grant including the cap supplement shall be reduced by three per cent, (iii) the towns of Bridgeport, Hartford and New Haven

shall each receive a grant that is equal to the grant such towns received for the prior fiscal year plus one million dollars, (iv) those towns described in clause (i) of this subparagraph shall receive a grant that includes a pro rata share of three million dollars based on the same pro rata basis as used in said clause (i), (v) towns whose school districts are priority school districts pursuant to subsection (a) of section 10-266p or transitional school districts pursuant to section 10-263c or who are eligible for grants under section 10-276a or 10-263d for the fiscal years ending June 30, 2002, to June 30, 2004, inclusive, shall receive grants that are at least equal to the grants they received for the prior fiscal year, (vi) towns not receiving funds under clause (iii) of this subparagraph shall receive a pro rata share of any remaining funds based on their grant determined under this subparagraph. (Q) For the fiscal year ending June 30, 2005, (i) no town shall receive a grant pursuant to this subparagraph in an amount that is less than sixty per cent of the amount determined pursuant to the previous subparagraphs of this subdivision, (ii) notwithstanding the provisions of subparagraph (B) of this subdivision, each town shall receive a grant that is equal to the amount the town received for the prior fiscal year increased by twenty-three and twenty-seven hundredths per cent of the difference between the grant amount calculated pursuant to this subdivision and the amount the town received for the prior fiscal year, (iii) no town whose school district is a priority school district pursuant to subsection (a) of section 10-266p shall receive a grant pursuant to this subdivision that is less than three hundred seventy dollars per resident student, and (iv) each town shall receive a grant that is at least the greater of the amount of the grant it received for the fiscal year ending June 30, 2003, or the amount of the grant it received for the fiscal year ending June 30, 2004, increased by seven-tenths per cent, except that the town of Winchester shall not receive less than its fixed entitlement for the fiscal year ending June 30, 2003. (R) Notwithstanding the provisions of this subdivision, for the fiscal years ending June 30, 2006, and June 30, 2007, each town shall receive a grant

that is equal to the amount of the grant the town received for the fiscal year ending June 30, 2005, increased by two per cent plus the amount specified in section 33 of public act 05-245, provided for the fiscal year ending June 30, 2007, no town shall receive a grant in an amount that is less than sixty per cent of the amount of its target aid as described in subdivision (32) of section 10-262f. (S) For the fiscal year ending June 30, 2008, a grant in an amount equal to the sum of (i) the town's base aid, and (ii) seventeen and thirty-one one-hundredths per cent of the difference between the town's fully funded grant as described in subdivision (33) of section 10-262f, and its base aid, except that such per cent shall be adjusted for all towns so that no town shall receive a grant that is less than the amount of the grant the town received for the fiscal year ending June 30, 2007, increased by four and four-tenths per cent. (T) For the fiscal year ending June 30, 2009, a grant in an amount equal to the sum of (i) the town's base aid, and (ii) twenty-two and two one-hundredths per cent of the difference between the fully funded grant as described in said subdivision (33) of section 10-262f, and its base aid, except that such per cent shall be adjusted for all towns so that no town shall receive a grant that is less than the amount of the grant the town received for the fiscal year ending June 30, 2008, increased by four and four-tenths per cent;

(7) For the fiscal year ending June 30, 1996, for towns that used an accrual method of accounting for the fiscal year ending June 30, 1995, the portion of the grant received pursuant to subdivision (6) of this subsection which is considered to be a reimbursement for special education expenses incurred in the fiscal year ending June 30, 1995, shall be equal to the ratio of the amount received for special education pursuant to subsection (a) of section 10-76g, in the fiscal year ending June 30, 1995, to the sum of such special education amount and the education equalization aid pursuant to this section for the fiscal year ending June 30, 1995. For the fiscal year ending June 30, 1997, and each fiscal year thereafter, such ratio shall be used to identify the amount of

the grant pursuant to this section which is considered to be a reimbursement for special education expenses for the prior fiscal year.

(b) Notwithstanding the provisions of subsection (a) of this section, for the fiscal year ending June 30, 1990, and the fiscal year ending June 30, 1991, no town's equalization aid entitlement shall be less than its minimum aid or its education enhancement aid, whichever is applicable.

(c) (1) Notwithstanding the provisions of this section, for the fiscal years ending June 30, 2010, and June 30, 2011, each town shall receive an equalization aid grant in amount provided for in subdivision (2) of this subsection.

(2) Equalization aid grant amounts.

Town	Grant for Fiscal Year 2010	Grant for Fiscal Year 2011
Andover	2,330,856	2,330,856
Ansonia	15,031,668	15,031,668
Ashford	3,896,069	3,896,069
Avon	1,232,688	1,232,688
Barkhamsted	1,615,872	1,615,872
Beacon Falls	4,044,804	4,044,804
Berlin	6,169,410	6,169,410
Bethany	2,030,845	2,030,845
Bethel	8,157,837	8,157,837
Bethlehem	1,318,171	1,318,171
Bloomfield	5,410,345	5,410,345
Bolton	3,015,660	3,015,660
Bozrah	1,229,255	1,229,255
Branford	1,759,095	1,759,095
Bridgeport	164,195,344	164,195,344

Bridgewater	137,292	137,292
Bristol	41,657,314	41,657,314
Brookfield	1,530,693	1,530,693
Brooklyn	6,978,295	6,978,295
Burlington	4,295,578	4,295,578
Canaan	207,146	207,146
Canterbury	4,733,625	4,733,625
Canton	3,348,790	3,348,790
Chaplin	1,880,888	1,880,888
Cheshire	9,298,837	9,298,837
Chester	665,733	665,733
Clinton	6,465,651	6,465,651
Colchester	13,547,231	13,547,231
Colebrook	495,044	495,044
Columbia	2,550,037	2,550,037
Cornwall	85,322	85,322
Coventry	8,845,691	8,845,691
Cromwell	4,313,692	4,313,692
Danbury	22,857,956	22,857,956
Darien	1,616,006	1,616,006
Deep River	1,687,351	1,687,351
Derby	6,865,689	6,865,689
Durham	3,954,812	3,954,812
Eastford	1,109,873	1,109,873
East Granby	1,301,142	1,301,142
East Haddam	3,718,223	3,718,223
East Hampton	7,595,720	7,595,720
East Hartford	41,710,817	41,710,817
East Haven	18,764,125	18,764,125
East Lyme	7,100,611	7,100,611
Easton	593,868	593,868
East Windsor	5,482,135	5,482,135

Ellington	9,504,917	9,504,917
Enfield	28,380,144	28,380,144
Essex	389,697	389,697
Fairfield	3,590,008	3,590,008
Farmington	1,611,013	1,611,013
Franklin	941,077	941,077
Glastonbury	6,201,152	6,201,152
Goshen	218,188	218,188
Granby	5,394,276	5,394,276
Greenwich	3,418,642	3,418,642
Griswold	10,735,024	10,735,024
Groton	25,374,989	25,374,989
Guilford	3,058,981	3,058,981
Haddam	1,728,610	1,728,610
Hamden	23,030,761	23,030,761
Hampton	1,337,582	1,337,582
Hartford	187,974,890	187,974,890
Hartland	1,350,837	1,350,837
Harwinton	2,728,401	2,728,401
Hebron	6,872,931	6,872,931
Kent	167,342	167,342
Killingly	15,245,633	15,245,633
Killingworth	2,227,467	2,227,467
Lebanon	5,467,634	5,467,634
Ledyard	12,030,465	12,030,465
Lisbon	3,899,238	3,899,238
Litchfield	1,479,851	1,479,851
Lyme	145,556	145,556
Madison	1,576,061	1,576,061
Manchester	30,619,100	30,619,100
Mansfield	10,070,677	10,070,677
Marlborough	3,124,421	3,124,421

Meriden	53,783,711	53,783,711
Middlebury	684,186	684,186
Middlefield	2,100,239	2,100,239
Middletown	16,652,386	16,652,386
Milford	10,728,519	10,728,519
Monroe	6,572,118	6,572,118
Montville	12,549,431	12,549,431
Morris	657,975	657,975
Naugatuck	29,211,401	29,211,401
New Britain	73,929,296	73,929,296
New Canaan	1,495,604	1,495,604
New Fairfield	4,414,083	4,414,083
New Hartford	3,143,902	3,143,902
New Haven	142,509,525	142,509,525
Newington	12,632,615	12,632,615
New London	22,940,565	22,940,565
New Milford	11,939,587	11,939,587
Newtown	4,309,646	4,309,646
Norfolk	381,414	381,414
North Branford	8,117,122	8,117,122
North Canaan	2,064,592	2,064,592
North Haven	3,174,940	3,174,940
North Stonington	2,892,440	2,892,440
Norwalk	10,095,131	10,095,131
Norwich	32,316,543	32,316,543
Old Lyme	605,586	605,586
Old Saybrook	652,677	652,677
Orange	1,055,910	1,055,910
Oxford	4,606,861	4,606,861
Plainfield	15,353,204	15,353,204
Plainville	10,161,853	10,161,853
Plymouth	9,743,272	9,743,272

Pomfret	3,092,817	3,092,817
Portland	4,272,257	4,272,257
Preston	3,057,025	3,057,025
Prospect	5,319,201	5,319,201
Putnam	8,071,851	8,071,851
Redding	687,733	687,733
Ridgefield	2,063,814	2,063,814
Rocky Hill	3,355,227	3,355,227
Roxbury	158,114	158,114
Salem	3,099,694	3,099,694
Salisbury	187,266	187,266
Scotland	1,444,458	1,444,458
Seymour	9,836,508	9,836,508
Sharon	145,798	145,798
Shelton	4,975,852	4,975,852
Sherman	244,327	244,327
Simsbury	5,367,517	5,367,517
Somers	5,918,636	5,918,636
Southbury	2,422,233	2,422,233
Southington	19,839,108	19,839,108
South Windsor	12,858,826	12,858,826
Sprague	2,600,651	2,600,651
Stafford	9,809,424	9,809,424
Stamford	7,978,877	7,978,877
Sterling	3,166,394	3,166,394
Stonington	2,061,204	2,061,204
Stratford	20,495,602	20,495,602
Suffield	6,082,494	6,082,494
Thomaston	5,630,307	5,630,307
Thompson	7,608,489	7,608,489
Tolland	10,759,283	10,759,283
Torrington	23,933,343	23,933,343

Trumbull	3,031,988	3,031,988
Union	239,576	239,576
Vernon	17,645,165	17,645,165
Voluntown	2,536,177	2,536,177
Wallingford	21,440,233	21,440,233
Warren	99,777	99,777
Washington	240,147	240,147
Waterbury	113,617,182	113,617,182
Waterford	1,445,404	1,445,404
Watertown	11,749,383	11,749,383
Westbrook	427,677	427,677
West Hartford	16,076,120	16,076,120
West Haven	41,399,303	41,399,303
Weston	948,564	948,564
Westport	1,988,255	1,988,255
Wethersfield	8,018,422	8,018,422
Willington	3,676,637	3,676,637
Wilton	1,557,195	1,557,195
Winchester	7,823,991	7,823,991
Windham	24,169,717	24,169,717
Windsor	11,547,663	11,547,663
Windsor Locks	4,652,368	4,652,368
Wolcott	13,539,371	13,539,371
Woodbridge	721,370	721,370
Woodbury	876,018	876,018
Woodstock	5,390,055	5,390,055

(3) The town of East Hartford shall not receive less than its fixed entitlement for the fiscal year ending June 30, 2009.

(d) (1) Notwithstanding the provisions of this section, for the fiscal year ending June 30, 2012, each town shall receive an equalization aid grant in an amount provided for in subdivision (2) of this subsection,

and for the fiscal year ending June 30, 2013, each town shall receive an equalization aid grant in an amount equal to the sum of any amounts paid to such town pursuant to subsection (c) and subdivision (1) of subsection (d) of section 10-66ee, and the amount provided for in subdivision (2) of this subsection.

(2) Equalization aid grant amounts.

Town	Grant for Fiscal Year 2012	Grant for Fiscal Year 2013
Andover	2,330,856	2,367,466
Ansonia	15,031,668	15,571,383
Ashford	3,896,069	3,931,796
Avon	1,232,688	1,232,688
Barkhamsted	1,615,872	1,654,360
Beacon Falls	4,044,804	4,109,097
Berlin	6,169,410	6,280,132
Bethany	2,030,845	2,042,361
Bethel	8,157,837	8,228,760
Bethlehem	1,318,171	1,318,800
Bloomfield	5,410,345	5,614,895
Bolton	3,015,660	3,038,788
Bozrah	1,229,255	1,242,936
Branford	1,759,095	1,824,612
Bridgeport	164,195,344	168,599,571
Bridgewater	137,292	137,292
Bristol	41,657,314	43,047,496
Brookfield	1,530,693	1,545,179
Brooklyn	6,978,295	7,058,407
Burlington	4,295,578	4,354,540
Canaan	207,146	209,258
Canterbury	4,733,625	4,754,383
Canton	3,348,790	3,421,074

Chaplin	1,880,888	1,893,247
Cheshire	9,298,837	9,376,495
Chester	665,733	665,733
Clinton	6,465,651	6,502,667
Colchester	13,547,231	13,723,859
Colebrook	495,044	506,256
Columbia	2,550,037	2,563,631
Cornwall	85,322	85,322
Coventry	8,845,691	8,918,028
Cromwell	4,313,692	4,423,837
Danbury	22,857,956	24,554,515
Darien	1,616,006	1,616,006
Deep River	1,687,351	1,711,882
Derby	6,865,689	7,146,221
Durham	3,954,812	3,986,743
Eastford	1,109,873	1,116,844
East Granby	1,301,142	1,349,822
East Haddam	3,718,223	3,765,035
East Hampton	7,595,720	7,665,929
East Hartford	41,710,817	43,425,561
East Haven	18,764,125	19,253,992
East Lyme	7,100,611	7,132,157
Easton	593,868	593,868
East Windsor	5,482,135	5,650,470
Ellington	9,504,917	9,649,604
Enfield	28,380,144	28,810,492
Essex	389,697	389,697
Fairfield	3,590,008	3,590,008
Farmington	1,611,013	1,611,013
Franklin	941,077	948,235
Glastonbury	6,201,152	6,415,031
Goshen	218,188	218,188

Granby	5,394,276	5,477,633
Greenwich	3,418,642	3,418,642
Griswold	10,735,024	10,878,817
Groton	25,374,989	25,625,179
Guilford	3,058,981	3,058,981
Haddam	1,728,610	1,776,625
Hamden	23,030,761	23,913,747
Hampton	1,337,582	1,339,928
Hartford	187,974,890	192,783,001
Hartland	1,350,837	1,358,660
Harwinton	2,728,401	2,760,313
Hebron	6,872,931	6,969,354
Kent	167,342	167,342
Killingly	15,245,633	15,625,767
Killingworth	2,227,467	2,237,730
Lebanon	5,467,634	5,523,871
Ledyard	12,030,465	12,141,501
Lisbon	3,899,238	3,927,193
Litchfield	1,479,851	1,508,386
Lyme	145,556	145,556
Madison	1,576,061	1,576,061
Manchester	30,619,100	31,962,679
Mansfield	10,070,677	10,156,014
Marlborough	3,124,421	3,171,682
Meriden	53,783,711	55,561,122
Middlebury	684,186	714,234
Middlefield	2,100,239	2,132,776
Middletown	16,652,386	17,449,023
Milford	10,728,519	11,048,292
Monroe	6,572,118	6,592,969
Montville	12,549,431	12,715,670
Morris	657,975	657,975

Naugatuck	29,211,401	29,846,550
New Britain	73,929,296	76,583,631
New Canaan	1,495,604	1,495,604
New Fairfield	4,414,083	4,451,451
New Hartford	3,143,902	3,167,099
New Haven	142,509,525	146,351,428
Newington	12,632,615	12,895,927
New London	22,940,565	23,749,566
New Milford	11,939,587	12,080,862
Newtown	4,309,646	4,338,374
Norfolk	381,414	381,414
North Branford	8,117,122	8,225,632
North Canaan	2,064,592	2,091,544
North Haven	3,174,940	3,295,851
North Stonington	2,892,440	2,906,538
Norwalk	10,095,131	10,672,607
Norwich	32,316,543	33,341,525
Old Lyme	605,586	605,586
Old Saybrook	652,677	652,677
Orange	1,055,910	1,107,407
Oxford	4,606,861	4,667,270
Plainfield	15,353,204	15,560,284
Plainville	10,161,853	10,346,140
Plymouth	9,743,272	9,876,832
Pomfret	3,092,817	3,130,001
Portland	4,272,257	4,347,783
Preston	3,057,025	3,077,693
Prospect	5,319,201	5,377,654
Putnam	8,071,851	8,251,714
Redding	687,733	687,733
Ridgefield	2,063,814	2,063,814
Rocky Hill	3,355,227	3,481,162

Roxbury	158,114	158,114
Salem	3,099,694	3,114,216
Salisbury	187,266	187,266
Scotland	1,444,458	1,450,305
Seymour	9,836,508	10,004,094
Sharon	145,798	145,798
Shelton	4,975,852	5,146,279
Sherman	244,327	244,327
Simsbury	5,367,517	5,513,204
Somers	5,918,636	5,975,301
Southbury	2,422,233	2,518,902
Southington	19,839,108	20,191,195
South Windsor	12,858,826	13,017,444
Sprague	2,600,651	2,632,445
Stafford	9,809,424	9,930,162
Stamford	7,978,877	8,899,110
Sterling	3,166,394	3,211,166
Stonington	2,061,204	2,079,926
Stratford	20,495,602	21,072,199
Suffield	6,082,494	6,183,966
Thomaston	5,630,307	5,712,479
Thompson	7,608,489	7,674,408
Tolland	10,759,283	10,866,063
Torrington	23,933,343	24,402,168
Trumbull	3,031,988	3,195,332
Union	239,576	241,460
Vernon	17,645,165	18,316,776
Voluntown	2,536,177	2,550,166
Wallingford	21,440,233	21,712,580
Warren	99,777	99,777
Washington	240,147	240,147
Waterbury	113,617,182	118,012,691

Waterford	1,445,404	1,485,842
Watertown	11,749,383	11,886,760
Westbrook	427,677	427,677
West Hartford	16,076,120	16,996,060
West Haven	41,399,303	42,781,151
Weston	948,564	948,564
Westport	1,988,255	1,988,255
Wethersfield	8,018,422	8,313,255
Willington	3,676,637	3,710,213
Wilton	1,557,195	1,557,195
Winchester	7,823,991	8,031,362
Windham	24,169,717	24,933,574
Windsor	11,547,663	11,854,648
Windsor Locks	4,652,368	4,904,674
Wolcott	13,539,371	13,685,912
Woodbridge	721,370	721,370
Woodbury	876,018	895,683
Woodstock	5,390,055	5,453,688**]**

(a) For the fiscal year ending June 30, 2014, each town maintaining public schools according to law shall be entitled to an equalization aid grant as follows: (1) For a town not designated as an alliance district, as defined in section 10-262u, as amended by this act, a grant in an amount equal to the greater of (A) the grant the town received for the fiscal year ending June 30, 2013, pursuant to section 10-262h of the general statutes, revision of 1958, revised to January 1, 2013, or (B) the sum of the town's base aid and one one-hundredths per cent of the difference between the town's fully funded grant and the town's base aid, (2) for a town designated as an alliance district, a grant in an amount equal to the greater of (A) the grant the town received for the fiscal year ending June 30, 2013, pursuant to section 10-262h of the general statutes, revision of 1958, revised to January 1, 2013, or (B) the sum of the town's base aid and eight one-hundredths per cent of the difference between the town's fully funded grant and the town's base

aid, and (3) for a town designated as an educational reform district, as defined in section 10-262u, as amended by this act, a grant in an amount equal to the greater of (A) the grant the town received for the fiscal year ending June 30, 2013, pursuant to section 10-262h of the general statutes, revision of 1958, revised to January 1, 2013, or (B) the sum of the town's base aid and twelve one-hundredths per cent of the difference between the town's fully funded grant and the town's base aid.

(b) For the fiscal year ending June 30, 2015, each town maintaining public schools according to law shall be entitled to an equalization aid grant as follows: (1) For a town not designated as an alliance district, a grant in an amount equal to the greater of (A) the grant the town received for the fiscal year ending June 30, 2013, pursuant to section 10-262h of the general statutes, revision of 1958, revised to January 1, 2013, or (B) the sum of the town's base aid and one and eight-tenths per cent of the difference between the town's fully funded grant and the town's base aid, (2) for a town designated as an alliance district, a grant in an amount equal to the greater of (A) the grant the town received for the fiscal year ending June 30, 2013, pursuant to section 10-262h of the general statutes, revision of 1958, revised to January 1, 2013, or (B) the sum of the town's base aid and fourteen and four-tenths per cent of the difference between the town's fully funded grant and the town's base aid, and (3) for a town designated as an educational reform district, a grant in an amount equal to the greater of (A) the grant the town received for the fiscal year ending June 30, 2013, pursuant to section 10-262h of the general statutes, revision of 1958, revised to January 1, 2013, or (B) the sum of the town's base aid and twenty-one and six-tenths per cent of the difference between the town's fully funded grant and the town's base aid.

Sec. 154. Section 10-262i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) For the fiscal year ending June 30, 1990, and for each fiscal year thereafter, each town shall be paid a grant equal to the amount the town is entitled to receive under the provisions of section 10-262h, as amended by this act. Such grant, excluding any amounts paid to a town pursuant to subdivision (1) of subsection (c) and subdivision (1) of subsection (d) of section 10-66ee, shall be calculated using the data of record as of the December first prior to the fiscal year such grant is to be paid, adjusted for the difference between the final entitlement for the prior fiscal year and the preliminary entitlement for such fiscal year as calculated using the data of record as of the December first prior to the fiscal year when such grant was paid.

(b) (1) Except as provided in subdivision (2) of this subsection, the amount due each town pursuant to the provisions of subsection (a) of this section shall be paid by the Comptroller, upon certification of the Commissioner of Education, to the treasurer of each town entitled to such aid in installments during the fiscal year as follows: Twenty-five per cent of the grant in October, twenty-five per cent of the grant in January and the balance of the grant in April. The balance of the grant due towns under the provisions of this subsection shall be paid in March rather than April to any town which has not adopted the uniform fiscal year and which would not otherwise receive such final payment within the fiscal year of such town.

(2) Any amount due to a town pursuant to subdivision (1) of subsection (c) and subdivision (1) of subsection (d) of section 10-66ee shall be paid by the Comptroller, upon certification of the Commissioner of Education, to the treasurer of each town entitled to such amount pursuant to the schedule established in section 10-66ee.

(c) All aid distributed to a town pursuant to the provisions of this section shall be expended for educational purposes only and shall be expended upon the authorization of the local or regional board of education. For the fiscal year ending June 30, 1999, and each fiscal year

thereafter, if a town receives an increase in funds pursuant to this section over the amount it received for the prior fiscal year, such increase shall not be used to supplant local funding for educational purposes. The budgeted appropriation for education in any town receiving an increase in funds pursuant to this section shall be not less than the amount appropriated for education for the prior year plus such increase in funds.

[(d) Notwithstanding the provisions of subsection (c) of this section, for the fiscal years ending June 30, 2008, and June 30, 2009, the budgeted appropriation for education in any town receiving an increase in funds pursuant to this section shall be not less than the amount appropriated for education for the prior year plus the percentage of such increase in funds as determined under subsection (f) of this section.

(e) For the fiscal years ending June 30, 2010, and June 30, 2011, the budgeted appropriation for education shall be not less than the budgeted appropriation for education for the fiscal year ending June 30, 2009, minus any reductions made pursuant to section 19 of public act 09-1 of the June 19 special session, except that for the fiscal year ending June 30, 2010, those districts with a number of resident students for the school year commencing July 1, 2009, that is lower than such district's number of resident students for the school year commencing July 1, 2008, may reduce such district's budgeted appropriation for education by the difference in number of resident students for such school years multiplied by three thousand.

(f) (1) Except as otherwise provided under the provisions of subdivisions (3) and (4) of this subsection, for the fiscal year ending June 30, 2012, the budgeted appropriation for education shall be not less than the budgeted appropriation for education for the fiscal year ending June 30, 2011, plus any reductions made pursuant to section 19 of public act 09-1 of the June 19 special session, except that (A) for the

fiscal year ending June 30, 2012, any district with a number of resident students for the school year commencing July 1, 2011, that is lower than such district's number of resident students for the school year commencing July 1, 2010, may reduce such district's budgeted appropriation for education by the difference in number of resident students for such school years multiplied by three thousand, provided such reduction shall not exceed one-half of one per cent of the district's budgeted appropriation for education for the fiscal year ending June 30, 2011, and (B) for the fiscal year ending June 30, 2012, any district that (i) does not maintain a high school and pays tuition to another school district pursuant to section 10-33 for resident students to attend high school in another district, and (ii) the number of resident students attending high school for such district for the school year commencing July 1, 2011, is lower than such district's number of resident students attending high school for the school year commencing July 1, 2010, may reduce such district's budgeted appropriation for education by the difference in number of resident students attending high school for such school years multiplied by the tuition paid per student pursuant to section 10-33.

(2) Except as otherwise provided under the provisions of subdivisions (3) to (5), inclusive, of this subsection, for the fiscal year ending June 30, 2013, the budgeted appropriation for education shall be not less than the budgeted appropriation for education for the fiscal year ending June 30, 2012, except that a town may reduce its budgeted appropriation for education for the fiscal year ending June 30, 2013, by one of the following: (A) Any district with a number of resident students for the school year commencing July 1, 2012, that is lower than such district's number of resident students for the school year commencing July 1, 2011, may reduce such district's budgeted appropriation for education by the difference in number of resident students for such school years multiplied by three thousand, provided such reduction shall not exceed one-half of one per cent of the district's

budgeted appropriation for education for the fiscal year ending June 30, 2012, (B) any district that (i) does not maintain a high school and pays tuition to another school district pursuant to section 10-33 for resident students to attend high school in another district, and (ii) the number of resident students attending high school for such district for the school year commencing July 1, 2012, is lower than such district's number of resident students attending high school for the school year commencing July 1, 2011, may reduce such district's budgeted appropriation for education by the difference in number of resident students attending high school for such school years multiplied by the tuition paid per student pursuant to section 10-33, or (C) any district that realizes new and documentable savings through increased intradistrict efficiencies approved by the Commissioner of Education or through regional collaboration or cooperative arrangements pursuant to section 10-158a may reduce such district's budgeted appropriation for education in an amount equal to half of the savings experienced as a result of such intradistrict efficiencies, regional collaboration or cooperative arrangement, provided such reduction shall not exceed one-half of one per cent of the district's budgeted appropriation for education for the fiscal year ending June 30, 2012.

(3) The Commissioner of Education may permit a district to reduce its budgeted appropriation for education for the fiscal year ending June 30, 2012, or June 30, 2013, in an amount determined by the commissioner if such district has permanently ceased operations and closed one or more schools in the district due to declining enrollment at such closed school or schools in the fiscal year ending June 30, 2011, June 30, 2012, or June 30, 2013.

(4) Except as otherwise provided in subdivision (5) of this subsection, no town shall be eligible to reduce its budgeted appropriation for education for the fiscal years ending June 30, 2012, and June 30, 2013, pursuant to this subsection if (A) the school district

for the town is in its third year or more of being identified as in need of improvement pursuant to section 10-223e, and (i) has failed to make adequate yearly progress in mathematics or reading at the whole district level, or (ii) has satisfied the requirements for adequate yearly progress in mathematics or reading pursuant to Section 1111(b)(2)(I) of Subpart 1 of Part A of Title I of the No Child Left Behind Act, P.L. 107-110, as amended from time to time, or (B) the school district for the town (i) has been identified as in need of improvement pursuant to section 10-223e, and (ii) has a poverty rate greater than ten per cent. For purposes of this subparagraph, "poverty rate" means the quotient of the number of related children ages five to seventeen, inclusive, in families in poverty in a school district, divided by the total school age population of such school district based on the 2009 population estimate produced by the Bureau of Census of the United States Department of Commerce.

(5) For the fiscal year ending June 30, 2013, the budgeted appropriation for a town designated as an alliance district, as defined in section 10-262u, shall be not less than the sum of (A) the budgeted appropriation for the fiscal year ending June 30, 2012, and (B) the amount necessary to meet the minimum local funding percentage, as defined in subdivision (39) of section 10-262f, except the commissioner may permit a town designated as an alliance district to reduce its budgeted appropriation for education if such town can demonstrate that its local contribution for the fiscal year ending June 30, 2013, has increased when compared to the local contribution used in determining its local funding percentage, as defined in subdivision (38) of section 10-262f.

(g) (1) Except as provided for in subdivisions (2), (3) and (4) of this subsection, for the fiscal years ending June 30, 2008, to June 30, 2012, inclusive, the percentage of the increase in aid pursuant to this section applicable under subsection (d) of this section shall be the average of

the results of (A) (i) a town's current program expenditures per resident student pursuant to subdivision (36) of section 10-262f, subtracted from the highest current program expenditures per resident student in this state, (ii) divided by the difference between the highest current program expenditures per resident student in this state and the lowest current program expenditures per resident student in this state, (iii) multiplied by thirty per cent, (iv) plus fifty percentage points, (B) (i) a town's wealth pursuant to subdivision (26) of section 10-262f, subtracted from the wealth of the town with the highest wealth of all towns in this state, (ii) divided by the difference between the wealth of the town with the highest wealth of all towns in this state and the wealth of the town with the lowest wealth of all towns in this state, (iii) multiplied by thirty per cent, (iv) plus fifty percentage points, and (C) (i) a town's grant mastery percentage pursuant to subdivision (12) of section 10-262f, subtracted from one, subtracted from one minus the grant mastery percentage of the town with the highest grant mastery percentage in this state, (ii) divided by the difference between one minus the grant mastery percentage of the town with the highest grant mastery percentage in this state and one minus the grant mastery percentage of the town with the lowest grant mastery percentage in this state, (iii) multiplied by thirty per cent, (iv) plus fifty percentage points.

(2) For the fiscal year ending June 30, 2009, any town whose school district is in its third year or more of being identified as in need of improvement pursuant to section 10-223e, and has failed to make adequate yearly progress in mathematics or reading at the whole district level, the percentage determined pursuant to subdivision (1) of this subsection for such town shall be increased by an additional twenty percentage points.

(3) For the fiscal year ending June 30, 2010, any town whose school district is in its third year or more of being identified as in need of

improvement pursuant to section 10-223e, and has failed to make adequate yearly progress in mathematics or reading at the whole district level, the percentage of the increase in aid pursuant to this section applicable under subsection (d) of this section shall be the percentage of the increase determined under subdivision (1) of this subsection for such town, plus twenty percentage points, or eighty per cent, whichever is greater.

(4) Notwithstanding the provisions of this section, for the fiscal year ending June 30, 2008, and each fiscal year thereafter, any town that (A) is a member of a regional school district that serves only grades seven to twelve, inclusive, or grades nine to twelve, inclusive, (B) appropriates at least the minimum percentage of increase in aid pursuant to the provisions of this section, and (C) has a reduced assessment from the previous fiscal year for students enrolled in such regional school district, excluding debt service for such students, shall be considered to be in compliance with the provisions of this section.

(5) Notwithstanding any provision of the general statutes, charter, special act or home rule ordinance, on or before September 15, 2007, for the fiscal year ending June 30, 2008, a town may request the Commissioner of Education to defer a portion of the town's increase in aid over the prior fiscal year pursuant to this section to be expended in the subsequent fiscal year. If the commissioner approves such request, the deferred amount shall be credited to the increase in aid for the fiscal year ending June 30, 2009, rather than the fiscal year ending June 30, 2008. Such funds shall be expended in the fiscal year ending June 30, 2009, in accordance with the provisions of this section. In no case shall a town be allowed to defer increases in aid required to be spent for education as a result of failure to make adequate yearly progress in accordance with the provisions of subdivisions (2) and (3) of this subsection.**]**

(d) (1) Except as otherwise provided under the provisions of

subdivisions (3) and (4) of this subsection, for the fiscal year ending June 30, 2014, the budgeted appropriation for education shall be not less than the budgeted appropriation for education for the fiscal year ending June 30, 2013, plus any aid increase described in subsection (e) of this section, except that a town may reduce its budgeted appropriation for education for the fiscal year ending June 30, 2014, by one of the following: (A) Any district with a resident student count for October 1, 2012, using the data of record as of January 31, 2013, that is lower than such district's resident student count for October 1, 2011, using the data of record as of January 31, 2013, may reduce such district's budgeted appropriation for education by the difference in number of resident students for such years multiplied by three thousand, provided such reduction shall not exceed one-half of one per cent of the district's budgeted appropriation for education for the fiscal year ending June 30, 2013, (B) any district that (i) does not maintain a high school and pays tuition to another school district pursuant to section 10-33 for resident students to attend high school in another district, and (ii) the number of resident students attending high school for such district for October 1, 2012, using the data of record as of January 31, 2013, is lower than such district's number of resident students attending high school for October 1, 2011, using the data of record as of January 31, 2013, may reduce such district's budgeted appropriation for education by the difference in number of resident students attending high school for such years multiplied by the tuition paid per student pursuant to section 10-33, or (C) any district that realizes new and documentable savings through increased intradistrict efficiencies approved by the Commissioner of Education or through regional collaboration or cooperative arrangements pursuant to section 10-158a may reduce such district's budgeted appropriation for education in an amount equal to half of the savings experienced as a result of such intradistrict efficiencies, regional collaboration or cooperative arrangement, provided such reduction shall not exceed one-half of one per cent of the district's budgeted

appropriation for education for the fiscal year ending June 30, 2013.

(2) Except as otherwise provided under the provisions of subdivisions (3) and (5) of this subsection, for the fiscal year ending June 30, 2015, the budgeted appropriation for education shall be not less than the budgeted appropriation for education for the fiscal year ending June 30, 2014, plus any aid increase received pursuant to subsection (e) of this section, except that a town may reduce its budgeted appropriation for education for the fiscal year ending June 30, 2015, by one of the following: (A) Any district with a resident student count for October 1, 2013, using the data of record as of January 31, 2014, that is lower than such district's resident student count for October 1, 2012, using the data of record as of January 31, 2014, may reduce such district's budgeted appropriation for education by the difference in number of resident students for such years multiplied by three thousand, provided such reduction shall not exceed one-half of one per cent of the district's budgeted appropriation for education for the fiscal year ending June 30, 2014, (B) any district that (i) does not maintain a high school and pays tuition to another school district pursuant to section 10-33 for resident students to attend high school in another district, and (ii) the number of resident students attending high school for such district for October 1, 2013, using the data of record as of January 31, 2014, is lower than such district's number of resident students attending high school for October 1, 2012, using the data of record as of January 31, 2014, may reduce such district's budgeted appropriation for education by the difference in number of resident students attending high school for such years multiplied by the tuition paid per student pursuant to section 10-33, or (C) any district that realizes new and documentable savings through increased intradistrict efficiencies approved by the Commissioner of Education or through regional collaboration or cooperative arrangements pursuant to section 10-158a may reduce such district's budgeted appropriation for education in an amount equal to half of the

savings experienced as a result of such intradistrict efficiencies, regional collaboration or cooperative arrangement, provided such reduction shall not exceed one-half of one per cent of the district's budgeted appropriation for education for the fiscal year ending June 30, 2013.

(3) The Commissioner of Education may permit a district to reduce its budgeted appropriation for education for the fiscal years ending June 30, 2014, and June 30, 2015, inclusive, in an amount determined by the commissioner if such district has permanently ceased operations and closed one or more schools in the district due to declining enrollment at such closed school or schools in the fiscal year ending June 30, 2011, June 30, 2012, or June 30, 2013.

(4) For the fiscal year ending June 30, 2014, the budgeted appropriation for a town designated as an alliance district, as defined in section 10-262u, as amended by this act, shall be not less than the sum of (A) the budgeted appropriation for the fiscal year ending June 30, 2013, and (B) the amount necessary to meet the minimum local funding percentage, as defined in subdivision (39) of section 10-262f, as amended by this act, except the commissioner may permit a town designated as an alliance district to reduce its budgeted appropriation for education if such town can demonstrate that its local contribution for the fiscal year ending June 30, 2014, has increased when compared to the local contribution used in determining its local funding percentage, as defined in subdivision (38) of section 10-262f, as amended by this act.

(5) For the fiscal year ending June 30, 2015, the budgeted appropriation for a town designated as an alliance district, as defined in section 10-262u, as amended by this act, shall be not less than the sum of (A) the budgeted appropriation for the fiscal year ending June 30, 2014, and (B) the amount necessary to meet the minimum local funding percentage, as defined in section 10-262f, as amended by this

act, except the commissioner may permit a town designated as an alliance district to reduce its budgeted appropriation for education if such town can demonstrate that its local contribution for the fiscal year ending June 30, 2015, has increased when compared to the local contribution used in determining its local funding percentage, as defined in section 10-262f, as amended by this act.

(e) For the fiscal year ending June 30, 2014, and each fiscal year thereafter, the amount paid to a town pursuant to subsection (a) of this section minus the amount paid to such town under said subsection for the prior fiscal year shall be the aid increase for such town for such fiscal year.

[(h)**]** (f) Upon a determination by the State Board of Education that a town or kindergarten to grade twelve, inclusive, regional school district failed in any fiscal year to meet the requirements pursuant to subsection (c), (d) **[**,**]** or (e) **[**or (f)**]** of this section, the town or kindergarten to grade twelve, inclusive, regional school district shall forfeit an amount equal to two times the amount of the shortfall. The amount so forfeited shall be withheld by the Department of Education from the grant payable to the town in the second fiscal year immediately following such failure by deducting such amount from the town's equalization aid grant payment pursuant to this section, except that in the case of a kindergarten to grade twelve, inclusive, regional school district, the amount so forfeited shall be withheld by the Department of Education from the grants payable pursuant to this section to the towns which are members of such regional school district. The amounts deducted from such grants to each member town shall be proportional to the number of resident students in each member town. Notwithstanding the provisions of this subsection, the State Board of Education may waive such forfeiture upon agreement with the town or kindergarten to grade twelve, inclusive, regional school district that the town or kindergarten to grade twelve, inclusive,

regional school district shall increase its budgeted appropriation for education during the fiscal year in which the forfeiture would occur by an amount not less than the amount of said forfeiture or for other good cause shown. Any additional funds budgeted pursuant to such an agreement shall not be included in a district's budgeted appropriation for education for the purpose of establishing any future minimum budget requirement.

Sec. 155. Subsections (c) and (d) of section 10-262u of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(c) (1) (A) For the fiscal year ending June 30, 2013, **[**and each fiscal year thereafter,**]** the Comptroller shall withhold from a town designated as an alliance district any increase in funds received over the amount the town received for the prior fiscal year pursuant to section 10-262h, as amended by this act. The Comptroller shall transfer such funds to the Commissioner of Education. (B) For the fiscal years ending June 30, 2014, and June 30, 2015, the Comptroller shall withhold from a town designated as an alliance district any increase in funds received over the amount the town received for the fiscal year ending June 30, 2012, pursuant to subsection (a) of section 10-262i, as amended by this act. The Comptroller shall transfer such funds to the Commissioner of Education.

(2) Upon receipt of an application pursuant to subsection (d) of this section, the Commissioner of Education may pay such funds to the town designated as an alliance district and such town shall pay such funds to the local or regional board of education for such town on the condition that such funds shall be expended in accordance with the plan described in subsection (d) of this section and any guidelines developed by the State Board of Education for such funds. Such funds shall be used to improve student achievement in such alliance district and to offset any other local education costs approved by the

commissioner.

(d) The local or regional board of education for a town designated as an alliance district may apply to the Commissioner of Education, at such time and in such manner as the commissioner prescribes, to receive any increase in funds received over the amount the town received for the prior fiscal year pursuant to **[**section 10-262h**]** subsection (a) of section 10-262i, as amended by this act. Applications pursuant to this subsection shall include objectives and performance targets and a plan that may include, but not be limited to, the following: (1) A tiered system of interventions for the schools under the jurisdiction of such board based on the needs of such schools, (2) ways to strengthen the foundational programs in reading to ensure reading mastery in kindergarten to grade three, inclusive, with a focus on standards and instruction, proper use of data, intervention strategies, current information for teachers, parental engagement, and teacher professional development, (3) additional learning time, including extended school day or school year programming administered by school personnel or external partners, (4) a talent strategy that includes, but is not limited to, teacher and school leader recruitment and assignment, career ladder policies that draw upon guidelines for a model teacher evaluation program adopted by the State Board of Education, pursuant to section 10-151b, and adopted by each local or regional board of education. Such talent strategy may include provisions that demonstrate increased ability to attract, retain, promote and bolster the performance of staff in accordance with performance evaluation findings and, in the case of new personnel, other indicators of effectiveness, (5) training for school leaders and other staff on new teacher evaluation models, (6) provisions for the cooperation and coordination with early childhood education providers to ensure alignment with district expectations for student entry into kindergarten, including funding for an existing local Head Start program, (7) provisions for the cooperation and coordination

with other governmental and community programs to ensure that students receive adequate support and wraparound services, including community school models, (8) provisions for implementing and furthering state-wide education standards adopted by the State Board of Education and all activities and initiatives associated with such standards, and **[**(8)**]** (9) any additional categories or goals as determined by the commissioner. Such plan shall demonstrate collaboration with key stakeholders, as identified by the commissioner, with the goal of achieving efficiencies and the alignment of intent and practice of current programs with conditional programs identified in this subsection. The commissioner may require changes in any plan submitted by a local or regional board of education before the commissioner approves an application under this subsection.

Sec. 156. Subsection (i) of section 10-217a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(i) Notwithstanding the provisions of this section, for the fiscal years ending June 30, 2008, to June 30, **[**2013**]** 2015, inclusive, the amount of the grants payable to local or regional boards of education in accordance with this section shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for purposes of this section.

Sec. 157. Subsection (b) of section 10-281 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(b) Notwithstanding the provisions of this section, for the fiscal years ending June 30, 2004, to June 30, **[**2013**]** 2015, inclusive, the amount of the grants payable to local or regional boards of education in accordance with this section shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for

purposes of this section.

Sec. 158. Subsection (d) of section 10-71 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(d) Notwithstanding the provisions of this section, for the fiscal years ending June 30, 2004, to June 30, **[**2013**]** 2015, inclusive, the amount of the grants payable to towns, regional boards of education or regional educational service centers in accordance with this section shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for the purposes of this section for such year.

Sec. 159. Section 10-17g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

Annually, the board of education for each local and regional school district that is required to provide a program of bilingual education, pursuant to section 10-17f, may make application to the State Board of Education and shall thereafter receive a grant in an amount equal to the product obtained by multiplying the total appropriation available for such purpose by the ratio which the number of eligible children in the school district bears to the total number of such eligible children state-wide. The board of education for each local and regional school district receiving funds pursuant to this section shall annually, on or before September first, submit to the State Board of Education a progress report which shall include (1) measures of increased educational opportunities for eligible students, including language support services and language transition support services provided to such students, (2) program evaluation and measures of the effectiveness of its bilingual education and English as a second language programs, including data on students in bilingual education programs and students educated exclusively in English as a second

language programs, and (3) certification by the board of education submitting the report that any funds received pursuant to this section have been used for the purposes specified. The State Board of Education shall annually evaluate programs conducted pursuant to section 10-17f. For purposes of this section, measures of the effectiveness of bilingual education and English as a second language programs include state-wide mastery examination results and graduation and school dropout rates. Notwithstanding the provisions of this section, for the fiscal years ending June 30, 2009, to June 30, **[**2013**]** 2015, inclusive, the amount of grants payable to local or regional boards of education under this section shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for such grants for such year.

Sec. 160. Subsection (e) of section 10-66j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(e) Notwithstanding the provisions of this section, for the fiscal years ending June 30, 2004, to June 30, **[**2013**]** 2015, inclusive, the amount of grants payable to regional educational service centers shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for such grants for such year.

Sec. 161. Subdivision (2) of subsection (e) of section 10-76d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(2) For purposes of this subdivision, "public agency" includes the offices of a government of a federally recognized Native American tribe. Notwithstanding any other provisions of the general statutes, for the fiscal year ending June 30, 1987, and each fiscal year thereafter, whenever a public agency, other than a local or regional board of education, the State Board of Education or the Superior Court acting

pursuant to section 10-76h, places a child in a foster home, group home, hospital, state institution, receiving home, custodial institution or any other residential or day treatment facility, and such child requires special education, the local or regional board of education under whose jurisdiction the child would otherwise be attending school or, if no such board can be identified, the local or regional board of education of the town where the child is placed, shall provide the requisite special education and related services to such child in accordance with the provisions of this section. Within one business day of such a placement by the Department of Children and Families or offices of a government of a federally recognized Native American tribe, said department or offices shall orally notify the local or regional board of education responsible for providing special education and related services to such child of such placement. The department or offices shall provide written notification to such board of such placement within two business days of the placement. Such local or regional board of education shall convene a planning and placement team meeting for such child within thirty days of the placement and shall invite a representative of the Department of Children and Families or offices of a government of a federally recognized Native American tribe to participate in such meeting. (A) The local or regional board of education under whose jurisdiction such child would otherwise be attending school shall be financially responsible for the reasonable costs of such special education and related services in an amount equal to the lesser of one hundred per cent of the costs of such education or the average per pupil educational costs of such board of education for the prior fiscal year, determined in accordance with the provisions of subsection (a) of section 10-76f. The State Board of Education shall pay on a current basis, except as provided in subdivision (3) of this subsection, any costs in excess of such local or regional board's basic contributions paid by such board of education in accordance with the provisions of this subdivision. (B) Whenever a child is placed pursuant to this subdivision, on or after July 1, 1995, by

the Department of Children and Families and the local or regional board of education under whose jurisdiction such child would otherwise be attending school cannot be identified, the local or regional board of education under whose jurisdiction the child attended school or in whose district the child resided at the time of removal from the home by said department shall be responsible for the reasonable costs of special education and related services provided to such child, for one calendar year or until the child is committed to the state pursuant to section 46b-129 or 46b-140 or is returned to the child's parent or guardian, whichever is earlier. If the child remains in such placement beyond one calendar year the Department of Children and Families shall be responsible for such costs. During the period the local or regional board of education is responsible for the reasonable cost of special education and related services pursuant to this subparagraph, the board shall be responsible for such costs in an amount equal to the lesser of one hundred per cent of the costs of such education and related services or the average per pupil educational costs of such board of education for the prior fiscal year, determined in accordance with the provisions of subsection (a) of section 10-76f. The State Board of Education shall pay on a current basis, except as provided in subdivision (3) of this subsection, any costs in excess of such local or regional board's basic contributions paid by such board of education in accordance with the provisions of this subdivision. The costs for services other than educational shall be paid by the state agency which placed the child. The provisions of this subdivision shall not apply to the school districts established within the Department of Children and Families, pursuant to section 17a-37, the Department of Correction, pursuant to section 18-99a, or the Department of Developmental Services, pursuant to section 17a-240, provided in any case in which special education is being provided at a private residential institution, including the residential components of regional educational service centers, to a child for whom no local or regional board of education can be found responsible under subsection (b) of this section, Unified

School District #2 shall provide the special education and related services and be financially responsible for the reasonable costs of such special education instruction for such children. Notwithstanding the provisions of this subdivision, for the fiscal years ending June 30, 2004, to June 30, 2007, inclusive, and for the fiscal years ending June 30, 2010, to June 30, **[**2013**]** 2015, inclusive, the amount of the grants payable to local or regional boards of education in accordance with this subdivision shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for the purposes of this subdivision for such year.

Sec. 162. Subsection (d) of section 10-76g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(d) Notwithstanding the provisions of this section, for the fiscal years ending June 30, 2004, to June 30, 2007, inclusive, and for the fiscal years ending June 30, 2010, to June 30, **[**2013**]** 2015, inclusive, the amount of the grants payable to local or regional boards of education in accordance with this section, except grants paid in accordance with subdivision (2) of subsection (a) of this section, for the fiscal years ending June 30, 2006, and June 30, 2007, and for the fiscal years ending June 30, 2010, to June 30, **[**2013**]** 2015, inclusive, shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for the purposes of this section for such year.

Sec. 163. Subsection (b) of section 10-253 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(b) The board of education of the school district under whose jurisdiction a child would otherwise be attending school shall be financially responsible for the reasonable costs of education for a child placed out by the Commissioner of Children and Families or by other

agencies, including, but not limited to, offices of a government of a federally recognized Native American tribe, in a private residential facility when such child requires educational services other than special education services. Such financial responsibility shall be the lesser of one hundred per cent of the costs of such education or the average per pupil educational costs of such board of education for the prior fiscal year, determined in accordance with subsection (a) of section 10-76f. Any costs in excess of the board's basic contribution shall be paid by the State Board of Education on a current basis. The costs for services other than educational shall be paid by the state agency which placed the child. Application for the grant to be paid by the state for costs in excess of the local or regional board of education's basic contribution shall be made in accordance with the provisions of subdivision (5) of subsection (e) of section 10-76d. Notwithstanding the provisions of this subsection, for the fiscal years ending June 30, 2004, to June 30, 2007, inclusive, and for the fiscal years ending June 30, 2010, to June 30, **[**2013**]** 2015, inclusive, the amount of the grants payable to local or regional boards of education in accordance with this subsection shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for the purposes of this subsection for such year.

Sec. 164. Subdivision (1) of subsection (d) of section 10-66ee of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(d) (1) For the purposes of equalization aid grants pursuant to section 10-262h, as amended by this act, the state shall pay in accordance with this subsection, to the town in which a state charter school is located for each student enrolled in such school, for the fiscal year ending June 30, 2013, ten thousand two hundred dollars, for the fiscal year ending June 30, 2014, **[**eleven thousand**]** ten thousand five hundred dollars, and for the fiscal year ending June 30, 2015, and each

fiscal year thereafter, eleven thousand **[**five hundred**]** dollars. Such payments shall be made as follows: Twenty-five per cent of the amount not later than July fifteenth and September first based on estimated student enrollment on May first, and twenty-five per cent of the amount not later than January first and the remaining amount not later than April fifteenth, each based on student enrollment on October first. Notwithstanding the provisions of this subdivision, the payment of the remaining amount made not later than April 15, 2013, shall be within available appropriations and may be adjusted for each student on a pro rata basis.

Sec. 165. Subsection (b) of section 10-4b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(b) If, after conducting an inquiry in accordance with subsection (a) of this section, the state board finds that a local or regional board of education has failed or is unable to implement the educational interests of the state in accordance with section 10-4a, the state board shall (1) require the local or regional board of education to engage in a remedial process whereby such local or regional board of education shall develop and implement a plan of action through which compliance may be attained, or (2) order the local or regional board of education to take reasonable steps where such local or regional board has failed to comply with subdivision (3) of section 10-4a. Where a local or regional board of education is required to implement a remedial process pursuant to subdivision (1) of this subsection, upon request of such local or regional board, the state board shall make available to such local or regional board materials and advice to assist in such remedial process. If the state board finds that a local governmental body or its agent is responsible for such failure or inability, the state board may order such governmental body or agent to take reasonable steps to comply with the requirements of section 10-

4a. The state board may not order an increase in the **[**regular program expenditures, as defined in section 10-262f,**]** budgeted appropriations for education of such local or regional board of education if such **[**expenditures**]** budgeted appropriations are in an amount at least equal to the minimum **[**expenditure**]** budget requirement in accordance with section **[**10-262j, provided that an increase in expenditures may be ordered in accordance with section 10-76d**]** 10-262i. If the state board finds that the state is responsible for such failure, the state board shall so notify the Governor and the General Assembly.

Sec. 166. Subparagraphs (D) and (E) of subdivision (3) of subsection (c) of section 10-264*l* of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(D) Each interdistrict magnet school operated by (i) a regional educational service center, (ii) the Board of Trustees of the Community-Technical Colleges on behalf of a regional community-technical college, (iii) the Board of Trustees of the Connecticut State University System on behalf of a state university, (iv) the Board of Trustees for The University of Connecticut on behalf of the university, (v) the board of governors for an independent college or university, as defined in section 10a-37, or the equivalent of such a board, on behalf of the independent college or university, (vi) cooperative arrangements pursuant to section 10-158a, (vii) any other third-party not-for-profit corporation approved by the commissioner, and (viii) the Hartford school district for the operation of Great Path Academy on behalf of Manchester Community College, that enrolls less than sixty per cent of its students from Hartford pursuant to the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., shall receive a per pupil grant in the amount of (I) nine thousand six hundred ninety-five dollars for the fiscal year ending June 30, 2010, and (II) ten thousand four hundred forty-three dollars for the fiscal years ending June 30,

2011, to June 30, **[**2013**]** 2015, inclusive.

(E) Each interdistrict magnet school operated by **[**the Hartford school district**]** a local or regional board of education, pursuant to the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., shall receive a per pupil grant for each enrolled student who is not a resident of the district in the amount of (i) twelve thousand dollars for the fiscal year ending June 30, 2010, and (ii) thirteen thousand fifty-four dollars for the fiscal years ending June 30, 2011, to June 30, **[**2013**]** 2015, inclusive.

Sec. 167. Subsection (o) of section 10-264*l* of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(o) For the school years commencing July 1, 2009, to July 1, **[**2012**]** 2014, inclusive, **[**the Hartford school district**]** any local or regional board of education operating an interdistrict magnet school pursuant to the 2008 stipulation and order for Milo Sheff, et al. v. William O'Neill, et al. shall not charge tuition for any student enrolled in a preschool program or in kindergarten to grade twelve, inclusive, in an interdistrict magnet school operated by such school district, except the Hartford school district may charge tuition for any student enrolled in the Great Path Academy.

Sec. 168. Subdivision (2) of subsection (g) of section 10-266aa of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(2) For the fiscal year ending June 30, 2013, and each fiscal year thereafter, the department shall provide, within available appropriations, an annual grant to the local or regional board of education for each receiving district if one of the following conditions are met as follows: (A) Three thousand dollars for each out-of-district

student who attends school in the receiving district under the program if the number of such out-of-district students is less than two per cent of the total student population of such receiving district, (B) four thousand dollars for each out-of-district student who attends school in the receiving district under the program if the number of such out-of-district students is greater than or equal to two per cent but less than three per cent of the total student population of such receiving district, (C) six thousand dollars for each out-of-district student who attends school in the receiving district under the program if the number of such out-of-district students is greater than or equal to three per cent but less than four per cent of the total student population of such receiving district, **[**or**]** (D) six thousand dollars for each out-of-district student who attends school in the receiving district under the program if the Commissioner of Education determines that the receiving district has an enrollment of greater than four thousand students and has increased the number of students in the program by at least fifty per cent **[**on October 1, 2012**]** from the previous fiscal year, or (E) eight thousand dollars for each out-of-district student who attends school in the receiving district under the program if the number of such out-of-district students is greater than or equal to four per cent of the total student population of such receiving district.

Sec. 169. Subdivisions (3) and (4) of subsection (a) of section 10-264i of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(3) For districts assisting the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as determined by the commissioner, (i) for the fiscal year ending June 30, 2010, the amount of such grant shall not exceed an amount equal to the number of such children transported multiplied by one thousand four hundred dollars, and (ii) for the fiscal years ending June 30, 2011, to June 30, **[**2013**]** 2015, inclusive, the amount of such grant shall not

exceed an amount equal to the number of such children transported multiplied by two thousand dollars.

(4) **[**For the fiscal years ending June 30, 2009, and June 30, 2010, in**]** In addition to the grants otherwise provided pursuant to this section, the Commissioner of Education may provide supplemental transportation grants to regional educational service centers for the purposes of transportation to interdistrict magnet schools. Any such grant shall be provided within available appropriations and after the commissioner has reviewed and approved the total interdistrict magnet school transportation budget for a regional educational service center, including all revenue and expenditure estimates. For the fiscal year ending June 30, 2010, in addition to the grants otherwise provided pursuant to this section, the Commissioner of Education, with the approval of the Secretary of the Office of Policy and Management, may provide supplemental transportation grants to the Hartford school district and the Capitol Region Education Council for the purposes of transportation of students who are not residents of Hartford to interdistrict magnet schools operated by the Capitol Region Education Council or the Hartford school district. For the fiscal year ending June 30, 2012, in addition to the grants otherwise provided pursuant to this section, the Commissioner of Education may provide supplemental transportation grants to regional educational service centers for the purposes of transportation to interdistrict magnet schools that assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. Any such grant shall be provided within available appropriations and upon a comprehensive financial review of all transportation activities as prescribed by the commissioner. The commissioner may require the regional educational service center to provide an independent financial review, by an auditor selected by the Commissioner of Education, the costs of which may be paid from funds that are part of the supplemental transportation grant. Any such grant shall be paid as follows: Up to

fifty per cent of the grant on or before June 30, 2012, and the balance on or before September 1, 2012, upon completion of the comprehensive financial review. For the fiscal year ending June 30, 2013, in addition to the grants otherwise provided pursuant to this section, the Commissioner of Education may provide supplemental transportation to interdistrict magnet schools that assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William O'Neill, et al. and for transportation provided by EASTCONN to interdistrict magnet schools. Any such grant shall be provided within available appropriations and upon a comprehensive financial review, by an auditor selected by the Commissioner of Education, the costs of such review may be paid from funds that are part of the supplemental transportation grant. Any such grant shall be paid as follows: Up to fifty per cent of the grant on or before June 30, 2013, and the balance on or before September 1, 2013, upon completion of the comprehensive financial review.

Sec. 170. Section 10-65 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) Each local or regional school district operating an agricultural science and technology education center approved by the State Board of Education for program, educational need, location and area to be served shall be eligible for the following grants: (1) In accordance with the provisions of chapter 173, through progress payments in accordance with the provisions of section 10-287i, (A) for projects for which an application was filed prior to July 1, 2011, ninety-five per cent, and (B) for projects for which an application was filed on or after July 1, 2011, eighty per cent of the net eligible costs of constructing, acquiring, renovating and equipping approved facilities to be used for such agricultural science and technology education center, for the expansion or improvement of existing facilities or for the replacement or improvement of equipment therein, and (2) subject to the provisions

of section 10-65b, in an amount equal to **[**one thousand seven hundred fifty**]** two thousand seven hundred fifty dollars per student for every secondary school student who was enrolled in such center on October first of the previous year.

(b) Each local or regional board of education not maintaining an agricultural science and technology education center shall provide opportunities for its students to enroll in one or more such centers in a number that is at least equal to the number specified in any written agreement with each such center or centers, or in the absence of such an agreement, a number that is at least equal to the average number of its students that the board of education enrolled in each such center or centers during the previous three school years, provided, in addition to such number, each such board of education shall provide opportunities for its students to enroll in the ninth grade in a number that is at least equal to the number specified in any written agreement with each such center or centers, or in the absence of such an agreement, a number that is at least equal to the average number of students that the board of education enrolled in the ninth grade in each such center or centers during the previous three school years. If a local or regional board of education provided opportunities for students to enroll in more than one center for the school year commencing July 1, 2007, such board of education shall continue to provide such opportunities to students in accordance with this subsection. The board of education operating an agricultural science and technology education center may charge, subject to the provisions of section 10-65b, tuition for a school year in an amount not to exceed **[**eighty-two and five-tenths**]** sixty-two and forty-seven one-hundredths per cent of the foundation level pursuant to subdivision (9) of section 10-262f, per student for the fiscal year in which the tuition is paid, except that such board may charge tuition for (1) students enrolled under shared-time arrangements on a pro rata basis, and (2) special education students which shall not exceed the actual costs of educating such students

minus the amounts received pursuant to subdivision (2) of subsection (a) of this section and subsection (c) of this section. Any tuition paid by such board for special education students in excess of the tuition paid for non-special-education students shall be reimbursed pursuant to section 10-76g.

(c) In addition to the grants described in subsection (a) of this section, within available appropriations, (1) each local or regional board of education operating an agricultural science and technology education center in which more than one hundred fifty of the students in the prior school year were out-of-district students shall be eligible to receive a grant in an amount equal to five hundred dollars for every secondary school student enrolled in such center on October first of the previous year, (2) on and after July 1, 2000, if a local or regional board of education operating an agricultural science and technology education center that received a grant pursuant to subdivision (1) of this subsection no longer qualifies for such a grant, such local or regional board of education shall receive a grant in an amount determined as follows: (A) For the first fiscal year such board of education does not qualify for a grant under said subdivision (1), a grant in the amount equal to four hundred dollars for every secondary school student enrolled in its agricultural science and technology education center on October first of the previous year, (B) for the second successive fiscal year such board of education does not so qualify, a grant in an amount equal to three hundred dollars for every such secondary school student enrolled in such center on said date, (C) for the third successive fiscal year such board of education does not so qualify, a grant in an amount equal to two hundred dollars for every such secondary school student enrolled in such center on said date, and (D) for the fourth successive fiscal year such board of education does not so qualify, a grant in an amount equal to one hundred dollars for every such secondary school student enrolled in such center on said date, and (3) each local and regional board of education operating

an agricultural science and technology education center that does not receive a grant pursuant to subdivision (1) or (2) of this subsection shall receive a grant in an amount equal to sixty dollars for every secondary school student enrolled in such center on said date.

(d) (1) If there are any remaining funds after the amount of the grants described in subsections (a) and (c) of this section are calculated, within available appropriations, each local or regional board of education operating an agricultural science and technology education center shall be eligible to receive a grant in an amount equal to one hundred dollars for each student enrolled in such center on October first of the previous school year. (2) If there are any remaining funds after the amount of the grants described in subdivision (1) of this subsection are calculated, within available appropriations, each local or regional board of education operating an agricultural science and technology education center that had more than one hundred fifty out-of-district students enrolled in such center on October first of the previous school year shall be eligible to receive a grant based on the ratio of the number of out-of-district students in excess of one hundred fifty out-of-district students enrolled in such center on said date to the total number of out-of-district students in excess of one hundred fifty out-of-district students enrolled in all agricultural science and technology education centers that had in excess of one hundred fifty out-of-district students enrolled on said date.

(e) For the fiscal years ending June 30, 2012, and June 30, 2013, the Department of Education shall allocate five hundred thousand dollars to local or regional boards of education operating an agricultural science and technology education center in accordance with the provisions of subsections (b) to (d), inclusive, of this section.

(f) For the fiscal year ending June 30, 2013, and each fiscal year thereafter, if a local or regional board of education receives an increase in funds pursuant to this section over the amount it received for the

prior fiscal year such increase shall not be used to supplant local funding for educational purposes.

(g) Notwithstanding the provisions of sections 10-51 and 10-222, for the fiscal year ending June 30, **[**2013**]** 2014, any amount received by a local or regional board of education pursuant to subdivision (2) of subsection (a) of this section that exceeds the amount appropriated for education by the municipality or the amount in the budget approved by such regional board of education for purposes of said subdivision (2) of subsection (a) of this section, shall be available for use by such local or regional board of education, provided such excess amount is spent in accordance with the provisions of subdivision (2) of subsection (a) of this section.

Sec. 171. Subsection (i) of section 10-266p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(i) In addition to the amounts allocated in subsection (a) and subsections (c) to (h), inclusive, of this section, for the fiscal year ending June 30, 2008, and each fiscal year thereafter, the State Board of Education shall allocate **[**six hundred fifty thousand**]** two million twenty thousand dollars to the town ranked sixth when all towns are ranked from highest to lowest in population, based on the most recent federal decennial census.

Sec. 172. (NEW) (*Effective July 1, 2013*) The State Department of Education shall authorize the adult education programs located in the cities of New Haven and Bridgeport to provide additional instructional services including, but not limited to, training in technology, technical skills, literacy and numeracy and counseling.

Sec. 173. (NEW) (*Effective July 1, 2013*) Up to two hundred thousand dollars of the amount appropriated in section 1 of this act for the fiscal

years ending June 30, 2014, and June 30, 2015, to the State Department of Education for the alternative high school and adult incentive program account shall be used for a grant to Literacy How located in the town of North Haven for the provision of adult literacy services for each of said fiscal years.

Sec. 174. Subsection (a) of section 10a-1d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) There is established an Office of Higher Education. **[**Such office shall be within the Board of Regents for Higher Education for administrative purposes only.**]** The Office of Higher Education shall administer the programs set forth in sections 10-19g, 10-155d, 10a-10a, 10a-11, 10a-11a, 10a-17d, 10a-34 to 10a-34f, inclusive, 10a-35, **[**10a-36 to 10a-42g, inclusive, 10a-164a,**]** 10a-166, **[**and**]** 10a-168a, **[**to 10a-170, inclusive**]** 10a-169a, 10a-169b and section 182 of this act. The State Board of Education shall be responsible for approving any action taken pursuant to sections 10a-34 to 10a-34f, inclusive.

Sec. 175. Subsections (a) to (c), inclusive, of section 10a-1e of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) Wherever the term "Board of Governors of Higher Education" is used or referred to in the following sections of the general statutes, the term "Board of Regents for Higher Education" shall be substituted in lieu thereof: 3-22e, 4-38c, 4-67x, 4-89, as amended by this act, 4-186, 4d-80, 4d-82, 5-160, 5-177, 10-16p, 10-19, 10-145a, 10-145b, 10-145m, 10-145n, 10-145p, 10-155e, 10-155*l*, 10-183n, 10-220a, 10-235, 10a-6, 10a-7, 10a-10, **[**10a-12b,**]** 10a-13, 10a-16, 10a-19i, 10a-20a, 10a-22, 10a-25j, 10a-25o, 10a-25p, 10a-31, 10a-33, **[**10a-36, 10a-42b,**]** 10a-43, 10a-44b, 10a-45, 10a-46, 10a-48, 10a-48b, 10a-49, 10a-51, 10a-54, 10a-66, 10a-74, 10a-78, 10a-132a, 10a-149, 10a-161, 10a-162a, **[**10a-163,**]** 10a-163b, 10a-166, 10a-

168, **[**10a-169, 10a-170b, 10a-170d, 10a-170*l*, 10a-170m, 10a-170u, 10a-170v,**]** 10a-170w, 10a-171, 10a-203, 10a-210, 12-407, 19a-75, 20-37a, 20-206bb, 30-20a and 52-279.

(b) Wherever the term "Department of Higher Education" is used or referred to in the following sections of the general statutes, the term "Board of Regents for Higher Education" shall be substituted in lieu thereof: 4-89, as amended by this act, 4-124x, 4-124y, 4-124aa, 4a-11, 4d-82, 5-155a, 5-198, 10-8c, 10-76i, 10-145b, 10-221a, 10a-1, 10a-8b, 10a-8c, 10a-10, 10a-12, 10a-14, 10a-17, 10a-19c, 10a-19e, 10a-19f, **[**10a-19g,**]** 10a-19i, 10a-25, 10a-25n, 10a-48, 10a-54, 10a-55g, 10a-65, 10a-77a, 10a-99a, 10a-109i, 10a-151, 10a-161b, **[**10a-163,**]** 10a-163b, 10a-169a, 10a-169b, **[**10a-170a, 10a-170e, 10a-170i, 10a-170*l*, 10a-170r, 10a-170t, 10a-170u,**]** 11-1, 17a-52, 17a-215c and 20-206bb.

(c) Wherever the term "Commissioner of Higher Education" is used or referred to in the following sections of the general statutes, the term "president of the Board of Regents for Higher Education" shall be substituted in lieu thereof: 3-22e, 4-124x, 4-124y, 4-124aa, 10-1, 10-16p, 10-16z, 10a-19d, 10a-19e, 10a-19f, **[**10a-19h,**]** 10a-48, 10a-48b, 10a-55a, 10a-77a, 10a-99a, 10a-109i, 10a-112g, 10a-144, 10a-150, 10a-150b, 10a-161a, 10a-161b, **[**10a-163,**]** 10a-169a, 10a-169b, **[**10a-170c, 10a-170d, 10a-170i, 10a-170k, 10a-170s, 10a-170t,**]** 10a-203, 10a-224, 12-413b, 17a-52, 32-4f, 32-35 and 32-39.

Sec. 176. Subsection (a) of section 10a-1f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) Wherever the term "Office of Financial and Academic Affairs for Higher Education" is used or referred to in the following sections of the general statutes, the term "Office of Higher Education" shall be substituted in lieu thereof: 10-155d, 10a-1d, 10a-10a, 10a-11, 10a-11a, 10a-22d, 10a-22r, 10a-22s, 10a-22u, 10a-34, 10a-34a, 10a-34c, 10a-34d,

10a-34e, 10a-34f, 10a-35, 10a-38, 10a-39, 10a-40, 10a-42, 10a-42g, 10a-48a, as amended by this act, 10a-104 **[**, 10a-163a, 10a-164a,**]** and 10a-168a. **[**, 10a-169 and 10a-170.**]**

Sec. 177. Section 10a-48a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

[(a)**]** There is established within the Office of Higher Education a student community service fellowship program to develop community service leadership and activities for students at institutions of higher education in the state. For each fiscal year in which funds are appropriated the program shall provide a fellowship or fellowships. Fellowships shall be awarded for one academic year, except that fellowships to undergraduate students shall be awarded on a semester basis. Fellowship recipients shall work throughout the state to develop and coordinate programs in which students provide community service, train students who are providing or are interested in providing community service, be responsible for publicizing opportunities for students to provide community service, work with faculty and administrators at institutions of higher education in the state to promote student community service and assist in the implementation of the provisions of section 10a-48. To be eligible for a fellowship pursuant to this subsection, an applicant's residence shall be as defined in section 10a-28.

[(b) Not later than January 1, 1991, each institution of higher education which receives funds for student financial assistance pursuant to section 10a-40 or 10a-164a, shall have a coordinator for student community service, provided each such institution may designate either an employee or a student as such coordinator.**]**

Sec. 178. Subsection (a) of section 10a-55i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) There is established a Higher Education Consolidation Committee which shall be convened by the chairpersons of the joint standing committee of the General Assembly having cognizance of matters relating to higher education or such chairpersons' designee, who shall be a member of such joint standing committee. The membership of the Higher Education Consolidation Committee shall consist of the higher education subcommittee on appropriations and the chairpersons, vice chairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to higher education and appropriations. The Higher Education Consolidation Committee shall establish a meeting and public hearing schedule for purposes of receiving updates from the Board of Regents for Higher Education on the progress of the consolidation of the state system of higher education pursuant to section 4-9c, subsection (a) of section 4d-90, subsection (g) of section 5-160, section 5-199d, subsection (a) of section 7-323k, subsection (a) of section 7-608, subsection (a) of section 10-9, section 10-155d, subdivision (14) of section 10-183b, sections 10a-1a to 10a-1d, inclusive, 10a-3 and 10a-3a, subsection (a) of section 10a-6a, sections 10a-6b, 10a-8, 10a-10a to 10a-11a, inclusive, 10a-17d and 10a-22a, subsections (f) and (h) of section 10a-22b, subsections (c) and (d) of section 10a-22d, sections 10a-22h and 10a-22k, subsection (a) of section 10a-22n, sections 10a-22r, 10a-22s, 10a-22u, 10a-22v, 10a-22x and 10a-34 to 10a-35a, inclusive, **[**subsection (e) of section 10a-37, sections 10a-38 to 10a-40, inclusive, 10a-42 and 10a-42g,**]** subsection (a) of section 10a-48a, as amended by this act, sections 10a-55i, as amended by this act, 10a-71 and 10a-72, subsections (c) and (f) of section 10a-77, section 10a-88, subsection (a) of section 10a-89, subsection (c) of section 10a-99 and sections 10a-102, 10a-104, 10a-105, 10a-109e, 10a-143 **[**, 10a-163a, 10a-164a,**]** and 10a-168a. **[**and 10a-170.**]** The Higher Education Consolidation Committee shall convene its first meeting on or before September 15, 2011, and meet not less than once every two months until September 15, 2012.

Sec. 179. Subsection (f) of section 4-89 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(f) The provisions of this section shall not apply to appropriations to the Office of Higher Education for student financial assistance for **[**the scholarship program established under section 10a-169, or for the high technology graduate scholarship program established under section 10a-170a,**]** the Governor's Scholarship program established under section 182 of this act, or to the Board of Regents for Higher Education for Connecticut higher education centers of excellence established under section 10a-25h, to the Office of Higher Education for the minority advancement program established under subsection (b) of section 10a-11, to the Board of Regents for Higher Education for the high technology doctoral fellowship program established under section 10a-25n, or to the operating funds of the constituent units of the state system of higher education established pursuant to sections 10a-105, 10a-99 and 10a-77. Such appropriations shall not lapse until the end of the fiscal year succeeding the fiscal year of the appropriation except that centers of excellence appropriations deposited by the Board of Regents for Higher Education in the Endowed Chair Investment Fund, established under section 10a-20a, shall not lapse but shall be held permanently in the Endowed Chair Investment Fund and any moneys remaining in higher education operating funds of the constituent units of the state system of higher education shall not lapse but shall be held permanently in such funds. On or before September first, annually, the Office of Higher Education and Board of Regents for Higher Education shall submit a report to the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, through the Office of Fiscal Analysis, concerning the amount of each such appropriation carried over from the preceding fiscal year.

Sec. 180. Section 10a-161 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The **[**Board of Regents for**]** Office of Higher Education shall: (1) Establish state-wide policy pertaining to student financial assistance; **[**under sections 10a-163 and 10a-167 to 10a-169, inclusive;**]** (2) establish procedure by regulation, for the award of financial assistance under **[**sections**]** section 10a-167 and **[**10a-169**]** section 182 of this act; (3) review and approve applications for financial assistance under **[**sections 10a-163,**]** section 10a-168 and **[**10a-169**]** section 182 of this act; (4) receive and review records of all financial assistance granted pursuant to section 10a-167; (5) increase the availability of the state financial assistance programs to all segments of the state population, with significant attention to those with special needs; and (6) assist financial aid officers at institutions of higher education and secondary school guidance counselors in becoming better informed about matters concerning student financial assistance affairs. **[**The Board of Regents for Higher Education shall appoint a seven-member advisory committee on student financial assistance matters. At least one member shall be a financial aid officer at a public institution of higher education; at least one member shall be a financial aid officer at an independent institution of higher education; at least one member shall be a Connecticut student from a public institution of higher education in the state; at least one member shall be a Connecticut student from an independent college or university in the state; and, at least one member shall be a public secondary school guidance counselor.**]**

Sec. 181. Section 10a-168 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

If the **[**Board of Regents for**]** Office of Higher Education determines that no approved program of teacher education within the state is available for the preparation of teachers of children requiring special education as defined in part V of chapter 164, said **[**board of regents**]**

office may provide scholarship aid for such undergraduate and graduate students as it may designate to attend approved programs in institutions in other states. The **[**board**]** office may determine the amount of such scholarship aid in each case. **[**, without regard to the limitations of section 10a-169.**]** In order to be eligible for such scholarship aid, any applicant shall agree to teach children requiring special education in Connecticut for at least three years.

Sec. 182. (NEW) (*Effective July 1, 2013*) (a) For the purposes of this section:

(1) "Family contribution" means the expected family contribution for educational costs as computed from the student's Free Application for Federal Student Aid;

(2) "Full-time or part-time undergraduate student" means a student who is enrolled at an institution of higher education in a course of study leading to such student's first associate or bachelor degree and who is carrying, for a full-time student, twelve or more semester credit hours, or, for a part-time student, between six and eleven semester credit hours at such institution of higher education;

(3) "Independent institution of higher education" means a nonprofit institution established in this state (A) that has degree-granting authority in this state; (B) that has its main campus located in this state; (C) that is not included in the Connecticut system of public higher education; and (D) whose primary function is not the preparation of students for religious vocation;

(4) "Public institution of higher education" means the constituent units of the state system of higher education identified in subdivisions (1) to (4), inclusive, of section 10a-1 of the general statutes;

(5) "Eligible educational costs" means the tuition and required fees for an individual student that are published by each institution of

higher education participating in the grant program established under this section, plus a fixed amount for required books and educational supplies as determined by the Office of Higher Education.

(b) The state, acting through the Office of Higher Education, shall establish the Governor's Scholarship program to annually make need-based financial aid available for eligible educational costs for Connecticut residents enrolled at Connecticut's public and independent institutions of higher education as full-time or part-time undergraduate students beginning with new or transfer students in the fiscal year ending June 30, 2014. Any award made to a student in the fiscal year ending June 30, 2013, under the capitol scholarship grant program, established under section 10a-169 of the general statutes, revision of 1958, revised to January 1, 2013, the Connecticut aid to public college students grant program, established under section 10a-164a of the general statutes, revision of 1958, revised to January 1, 2013, Connecticut aid to Charter Oak, established under subsection (c) of section 10a-164a of the general statutes, revision of 1958, revised to January 1, 2013, or the Connecticut independent college student grant program, established under section 10a-36 of the general statutes, revision of 1958, revised to January 1, 2013, shall be offered under the Governor's Scholarship program and be renewable for the life of the original award, provided such student meets and continues to meet the need and academic standards established for purposes of the program under which such student received the original award.

(c) Within available appropriations, the Governor's Scholarship program shall be comprised of a need and merit-based grant, a need-based grant, a Charter Oak grant, and a performance incentive pool. The need and merit-based grant shall be funded at not less than twenty per cent of available appropriations. The need-based grant shall be funded at up to eighty per cent of available appropriations. The Charter Oak grant shall be not less than one hundred thousand dollars

of available appropriations. The incentive pool shall be not less than two and one-half per cent of available appropriations. There shall be an administrative allowance based on one-quarter of one per cent of the available appropriations, but not less than one hundred thousand dollars. Not less than thirty-eight per cent of the annual appropriation shall be allocated to the independent institutions of higher education for the fiscal year ending June 30, 2014, and not less than thirty-six per cent of such appropriation shall be allocated to such institutions for the fiscal year ending June 30, 2015.

(d) The Governor's Scholarship need and merit-based grant shall be available to any Connecticut resident who is a full-time or part-time undergraduate student at any public or independent institution of higher education beginning in the fiscal year ending June 30, 2014. The Office of Higher Education shall determine eligibility by financial need based on family contribution and eligibility by merit based on either previous high school academic achievement or performance on standardized academic aptitude tests. The Office of Higher Education shall make awards according to a sliding scale, annually determined by said office, up to a maximum family contribution and based on available appropriations and eligible students. The Governor's Scholarship need and merit-based grant shall be awarded in a higher amount than the need-based grant awarded pursuant to subsection (e) of this section. Recipients of the need and merit-based grant shall not be eligible to receive an additional need-based award. The accepting institution of higher education shall disburse sums awarded under such grant for payment of the student's eligible educational costs.

(e) The Governor's Scholarship need-based grant shall be available to any Connecticut resident who is a full-time or part-time undergraduate student at any public or independent institution of higher education beginning in the fiscal year ending June 30, 2014. The Office of Higher Education shall determine eligibility based on family

contribution. The amount of the annual appropriation to be allocated to each institution of higher education shall be determined by its actual eligible enrollment based on family contribution during the fiscal year one year prior to the grant year. Participating institutions of higher education shall make awards according to a sliding scale, annually determined by the Office of Higher Education, up to a maximum family contribution and based on available appropriations and the number of eligible students. Each participating institution of higher education shall expend all of the moneys received under the Governor's Scholarship program as direct financial assistance only for eligible educational costs based on the sliding scale determined by the Office of Higher Education and the maximum award amounts set by said office.

(f) Participating institutions of higher education shall annually provide the Office of Higher Education with data and reports on all Connecticut students who applied for financial aid, including, but not limited to, students receiving a Governor's Scholarship grant, in a form and at a time determined by said office. If an institution of higher education fails to submit information to the Office of Higher Education as directed, such institution shall be prohibited from participating in the scholarship program in the fiscal year following the fiscal year in which such institution failed to submit such information. Each participating institution of higher education shall maintain, for a period of not less than three years, records substantiating the reported number of Connecticut students and documentation utilized by the institution of higher education in determining eligibility of the student grant recipients. Such records shall be subject to audit. Funds not obligated by an institution of higher education shall be returned by February fifteenth in the fiscal year the grant was made to the Office of Higher Education for reallocation. Financial aid provided to Connecticut residents under this program shall be designated as a grant from the Governor's Scholarship program.

(g) The Governor's Scholarship Charter Oak grant shall be available to any full-time or part-time undergraduate student enrolled in Charter Oak State College beginning in the fiscal year ending June 30, 2014. The Office of Higher Education shall allocate any appropriation to Charter Oak State College to be used to provide grants for eligible educational costs to residents of this state who demonstrate substantial financial need and who are matriculated in a degree program at Charter Oak State College. Individual awards shall not exceed a student's calculated eligible educational costs. Financial aid provided to Connecticut residents under this program shall be designated as a grant from the Governor's Scholarship program.

(h) The Governor's Scholarship incentive pool shall be created to encourage retention and completion for any student who (1) receives the Governor's Scholarship need-based grant, (2) returns with sufficient credits to complete such student's associate degree in two years or bachelor degree in four years, and (3) exceeds the minimum satisfactory academic performance standards as determined by the Office of Higher Education. Such student shall be eligible beginning in the second year of such student's need-based grant. The pool shall be distributed to participating institutions of higher education based on eligibility as determined by the Office of Higher Education.

(i) In administering the Governor's Scholarship program, the Office of Higher Education shall develop and utilize fiscal procedures designed to ensure accountability of the public funds expended. Such procedures shall include provisions for compliance audits that shall be conducted by the Office of Higher Education on any institution of higher education that participates in the program. Commencing with the fiscal year ending June 30, 2015, and biennially thereafter, each such institution of higher education shall submit the results of an audit done by an independent certified public accountant for each year of participation in the program. Any institution of higher education

determined by the Office of Higher Education not to be in substantial compliance with the provisions of the Governor's Scholarship program shall be ineligible to receive funds under the program for the fiscal year following the fiscal year in which the institution of higher education was determined not to be in substantial compliance. Funding shall be restored when the Office of Higher Education determines that the institution of higher education has returned to substantial compliance.

Sec. 183. Subsection (a) of section 10-21c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) Any local or regional board of education that has a demonstrated shortage of certified teachers in those fields designated by the State Board of Education **[**pursuant to the provisions of section 10a-163**]** or that elects to expand the academic offerings to students in the areas identified by the Labor Commissioner and the Office of Workforce Competitiveness pursuant to the provisions of section 4-124w may solicit and accept qualified private sector specialists, not necessarily certified to teach, whose services to teach in shortage areas have been donated by business firms, as defined in section 12-631. Private sector specialists who donate their services may be permitted to offer instruction in existing or specially designed curricula, provided no private sector specialist shall be permitted to work more than one-half of the maximum classroom hours of a full-time certified teacher, and provided further no private sector specialist teaching in an area identified by the Labor Commissioner and the Office of Workforce Competitiveness pursuant to section 4-124w shall have sole responsibility for a classroom. No certified teacher may be terminated, transferred or reassigned due to the utilization of any private sector specialist. Local or regional boards of education shall annually review the need for private sector specialists and shall not renew or place a

private sector specialist if certified teachers are available.

Sec. 184. Subsection (a) of section 10a-6 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The Board of Regents for Higher Education shall: (1) Establish state-wide policy and guidelines for Connecticut's system of public higher education; (2) develop a master plan for higher education and postsecondary education, consistent with the goals in subsection (b) of this section; (3) establish state-wide tuition and student fee policies; **[**(4) establish state-wide student financial aid policies; (5)**]** (4) monitor and evaluate institutional effectiveness and viability in accordance with criteria established by the board; **[**(6)**]** (5) merge or close institutions within the Connecticut State University System, the regional community-technical college system and the Board for State Academic Awards in accordance with criteria established by the board, provided (A) such recommended merger or closing shall require a two-thirds vote of the board and (B) notice of such recommended merger or closing shall be sent to the committee having cognizance over matters relating to education and to the General Assembly; **[**(7)**]** (6) review and approve mission statements for the Connecticut State University System, the regional community-technical college system and the Board for State Academic Awards and role and scope statements for the individual institutions and campuses of such constituent units; **[**(8)**]** (7) review and approve any recommendations for the establishment of new academic programs submitted to the board by the constituent unit boards of trustees, and, in consultation with the affected constituent units, provide for the initiation, consolidation or termination of academic programs. The Board of Regents for Higher Education shall notify the board of trustees affected by the proposed termination of an academic program. Within ninety days of receipt of such notice, said trustees shall accept

or reject the termination proposal and shall notify the Board of Regents for Higher Education of its action. If the termination proposal is rejected by the trustees, the Board of Regents for Higher Education may override the rejection by a two-thirds vote; **[**(9)**]** (8) develop criteria to ensure acceptable quality in programs and institutions and enforce standards through licensing and accreditation; **[**(10)**]** (9) prepare and present to the Governor and General Assembly, in accordance with section 10a-8, consolidated operating and capital expenditure budgets for public higher education developed in accordance with the provisions of said section 10a-8; **[**(11)**]** (10) review and make recommendations on plans received from the constituent unit boards of trustees for the continuing development and maximum utilization of the state's public higher education resources; **[**(12)**]** (11) appoint advisory committees to assist in defining and suggesting solutions for the problems and needs of higher education; **[**(13)**]** (12) establish an advisory council for higher education with representatives from public and private institutions to study methods and proposals for coordinating efforts of all such institutions in providing a stimulating and enriched educational environment for the citizens of the state, including measures to improve educational opportunities through alternative and nontraditional approaches such as external degrees and credit by examination; **[**(14)**]** (13) coordinate programs and services throughout public higher education and between public and independent institutions, including procedures to evaluate the impact on independent institutions of higher education of proposals affecting public institutions of higher education; **[**(15)**]** (14) make or enter into contracts, leases or other agreements in connection with its responsibilities under this part, provided all acquisitions of real estate by lease or otherwise shall be subject to the provisions of section 4b-23; **[**(16)**]** (15) be responsible for the care and maintenance of permanent records of institutions of higher education dissolved after September 1, 1969; **[**(17)**]** (16) prepare and present to the Governor and General Assembly legislative proposals affecting public higher education,

including proposals which utilize programs and facilities of independent institutions of higher education; **[**(18)**]** (17) develop and maintain a central higher education information system and establish definitions and data requirements for the state system of higher education; and **[**(19)**]** (18) undertake such studies and other activities as will best serve the higher educational interests of the state.

Sec. 185. Section 10a-87 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The Board of Trustees of the Connecticut State University System shall maintain: Western Connecticut State University, Southern Connecticut State University, Eastern Connecticut State University and Central Connecticut State University. The board of trustees shall offer curricula which shall prepare persons who have successfully completed the same to teach in the schools of the state at any of said institutions as the board shall deem appropriate and, in addition, programs of study in academic and career fields, provided the board of trustees shall submit to the Board of Regents for Higher Education for review and approval recommendations for program terminations at any of said institutions in accordance with the provisions of subdivision **[**(8)**]** (7) of subsection (a) of section 10a-6, as amended by this act. The board of trustees shall establish policies which protect academic freedom and the content of course and degree programs, provided such policies shall be consistent with state-wide policy and guidelines established by the Board of Regents for Higher Education. Each of said institutions shall confer such degrees in education and in academic and career fields as are appropriate to the curricula of said institution and as are usually conferred by the institutions; honorary degrees may be conferred by said institutions upon approval of each honorary degree recipient by the Board of Trustees of the Connecticut State University System.

Sec. 186. Subsection (a) of section 10a-55i of the general statutes, as

amended by substitute house bill 5423 of the current session, as amended by house amendment schedule A, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) There is established a Higher Education Consolidation Committee which shall be convened by the chairpersons of the joint standing committee of the General Assembly having cognizance of matters relating to higher education or such chairpersons' designee, who shall be a member of such joint standing committee. The membership of the Higher Education Consolidation Committee shall consist of the higher education subcommittee on appropriations and the chairpersons, vice chairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to higher education and appropriations. The Higher Education Consolidation Committee shall establish a meeting and public hearing schedule for purposes of receiving updates from (1) the Board of Regents for Higher Education on **[**(1)**]** the progress of the consolidation of the state system of higher education pursuant to section 4-9c, subsection (a) of section 4d-90, subsection (g) of section 5-160, section 5-199d, subsection (a) of section 7-323k, subsection (a) of section 7-608, subsection (a) of section 10-9, section 10-155d, subdivision (14) of section 10-183b, sections 10a-1a to 10a-1d, inclusive, 10a-3 and 10a-3a, subsection (a) of section 10a-6a, sections 10a-6b, 10a-8, 10a-10a to 10a-11a, inclusive, 10a-17d and 10a-22a, subsections (f) and (h) of section 10a-22b, subsections (c) and (d) of section 10a-22d, sections 10a-22h and 10a-22k, subsection (a) of section 10a-22n, sections 10a-22r, 10a-22s, 10a-22u, 10a-22v, 10a-22x and 10a-34 to 10a-35a, inclusive, subsection (e) of section 10a-37, sections 10a-38 to 10a-40, inclusive, 10a-42 and 10a-42g, subsection (a) of section 10a-48a, sections 10a-55i, 10a-71 and 10a-72, subsections (c) and (f) of section 10a-77, section 10a-88, subsection (a) of section 10a-89, subsection (c) of section 10a-99 and sections 10a-102, 10a-104, 10a-105, 10a-109e, 10a-143, 10a-163a, 10a-164a, 10a-168a and 10a-170, and (2) the Board of

Regents for Higher Education and The University of Connecticut on the program approval process for the constituent units. The Higher Education Consolidation Committee shall convene its first meeting on or before September 15, 2011, and meet not less than once every two months.

Sec. 187. Subsection (b) of section 10a-34 of the general statutes, as amended by substitute house bill 5423 of the current session, as amended by house amendment schedule A, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(b) The Office of Higher Education shall establish regulations concerning the requirements for licensure and accreditation, such regulations to concern administration, finance, faculty, curricula, library, student admission and graduation, plant and equipment, records, catalogs, program announcements and any other criteria pertinent thereto, as well as the periods for which licensure and accreditation may be granted, and the costs and procedures of evaluations as provided in subsections (c) and (d) of this section. Said office may establish an advisory council for accreditation composed of representatives of public and private institutions of higher learning and the public at large to advise the office regarding existing or proposed regulations. For each individual appeal, the executive director of said office, or the executive director's designee, shall select a commission that is comprised of four higher education representatives and five business and industry representatives chosen from a panel of **[**twenty-five**]** thirty-five members, who shall be appointed as follows: (1) The Governor shall appoint five members; (2) the speaker of the House of Representatives shall appoint five members; (3) the president pro tempore of the Senate shall appoint five members; (4) the majority leader of the House of Representatives shall appoint five members; (5) the majority leader of the Senate shall appoint five members; (6) the minority leader of the House of Representatives shall appoint five

members; and (7) the minority leader of the Senate shall appoint five members. The executive director of said office, or the executive director's designee, shall ensure that each commission contains at least one member appointed by each of the appointing authorities. Each appointing authority shall select both higher education representatives and business and industry representatives, but not more than three from either category of representatives.

Sec. 188. Section 10-5c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The Department of Education **[**may**]** shall establish **[**a board examination series pilot**]** an academic advancement program to allow local and regional boards of education to permit students in grades **[**nine to**]** eleven and twelve **[**, inclusive,**]** to substitute (1) achievement of a passing score on **[**a**]** an existing national examination, as determined by the department, or series of examinations approved by the State Board of Education, (2) a cumulative grade point average determined by the State Board of Education, and (3) at least three letters of recommendation from school professionals, as defined in section 10-66dd, for the high school graduation requirements pursuant to section 10-221a. The State Board of Education shall issue **[**a board examination**]** an academic advancement program certificate to any student who has successfully completed such program. Such **[**board examination**]** academic advancement program certificate shall be considered in the same manner as a high school diploma for purposes of determining eligibility of a student for enrollment at a public institution of higher education in this state.

(b) Notwithstanding the high school graduation requirements pursuant to section 10-221a, for the school year commencing July 1, **[**2011**]** 2014, and each school year thereafter, a local or regional board of education shall permit a student to graduate from high school upon the successful completion of the **[**board examination series**]** academic

advancement program described in subsection (a) of this section.

Sec. 189. Subsection (g) of section 10-221a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(g) Only courses taken in grades nine **[**through**]** to twelve, inclusive, shall satisfy this graduation requirement, except that a local or regional board of education may grant a student credit (1) toward meeting a specified course requirement upon the successful completion in grade seven or eight of any course, the primary focus of which corresponds directly to the subject matter of a specified course requirement in grades nine to twelve, inclusive; (2) toward meeting the high school graduation requirement upon the successful completion of a world language course (A) in grade six, seven or eight, (B) through on-line coursework, or (C) offered privately through a nonprofit provider, provided such student achieves a passing grade on an examination prescribed, within available appropriations, by the Commissioner of Education and such credits do not exceed four; (3) toward meeting the high school graduation requirement upon achievement of a passing grade on a subject area proficiency examination identified and approved, within available appropriations, by the Commissioner of Education, regardless of the number of hours the student spent in a public school classroom learning such subject matter; (4) toward meeting the high school graduation requirement upon the successful completion of coursework at an institution accredited by the Board of Regents for Higher Education or State Board of Education or regionally accredited. One three-credit semester course, or its equivalent, at such an institution shall equal one-half credit for purposes of this section; (5) toward meeting the high school graduation requirement upon the successful completion of on-line coursework, provided the local or regional board of education has adopted a policy in accordance with this subdivision for the granting

of credit for on-line coursework. Such a policy shall ensure, at a minimum, that (A) the workload required by the on-line course is equivalent to that of a similar course taught in a traditional classroom setting, (B) the content is rigorous and aligned with curriculum guidelines approved by the State Board of Education, where appropriate, (C) the course engages students and has interactive components, which may include, but are not limited to, required interactions between students and their teachers, participation in on-line demonstrations, discussion boards or virtual labs, (D) the program of instruction for such on-line coursework is planned, ongoing and systematic, and (E) the courses are (i) taught by teachers who are certified in the state or another state and have received training on teaching in an on-line environment, or (ii) offered by institutions of higher education that are accredited by the Board of Regents for Higher Education or State Board of Education or regionally accredited; or (6) toward meeting the high school graduation requirement upon the successful completion of the **[**board examination series**]** academic advancement program, pursuant to section 10-5c, as amended by this act.

Sec. 190. Subdivision (28) of section 4e-1 of the general statutes, as amended by substitute senate bill 1096 of the current session, as amended by senate amendment schedule A, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(28) "State contracting agency" means any executive branch agency, board, commission, department, office, institution or council. "State contracting agency" does not include the judicial branch, the legislative branch, the offices of the Secretary of the State, the State Comptroller, the Attorney General, the State Treasurer, with respect to their constitutional functions, any state agency with respect to contracts specific to the constitutional and statutory functions of the office of the State Treasurer. For the purposes of section 4e-16, "state contracting

agency" includes any constituent unit of the state system of higher education and for the purposes of section 4e-19, "state contracting agency" includes the State Education Resource Center, established under section 10-4q, as amended by this act; **[**, and any regional educational service centers, as described in section 10-66a;**]**

Sec. 191. Subsections (a) and (b) of section 84 of public act 13-3, as amended by section 15 of public act 13-122, are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) For the fiscal years ending June 30, 2013, to June 30, 2015, inclusive, the Departments of Emergency Services and Public Protection, Construction Services and Education shall jointly administer a school security infrastructure competitive grant program to reimburse towns for certain expenses for schools under the jurisdiction of the town's school district incurred on or after January 1, 2013, for: (1) The development or improvement of the security infrastructure of schools, based on the results of school building security assessments pursuant to subsection **[**(b)**]** (c) of this section, including, but not limited to, the installation of surveillance cameras, penetration resistant vestibules, ballistic glass, solid core doors, double door access, computer-controlled electronic locks, entry door buzzer systems, scan card systems, panic alarms or other systems; and (2) (A) the training of school personnel in the operation and maintenance of the security infrastructure of school buildings, or (B) the purchase of portable entrance security devices, including, but not limited to, metal detector wands and screening machines and related training.

(b) On and after the effective date of this section, each local and regional board of education may, on behalf of its town or its member towns, apply, at such time and in such manner as the Commissioner of Emergency Services and Public Protection prescribes, to the Department of Emergency Services and Public Protection for a grant for certain expenses for schools under the jurisdiction of such board of

education incurred on and after January 1, 2013, for the purposes described in subsection (a) of this section. Prior to the date that the School Safety Infrastructure Council makes its initial submission of the school safety infrastructure standards, pursuant to subsection (c) of section 80 of **[**this act**]** public act 13-3, the Commissioner of Emergency Services and Public Protection, in consultation with the Commissioners of Construction Services and Education, shall determine which expenses are eligible for reimbursement under the program. On and after the date that the School Safety Infrastructure Council submits the school safety infrastructure standards, the decision to approve or deny an application and the determination of which expenses are eligible for reimbursement under the program shall be in accordance with the most recent submission of the school safety infrastructure standards, pursuant to subsection (c) of section 80 of **[**this act**]** public act 13-3.

Sec. 192. (NEW) (*Effective July 1, 2013*) (a) For the fiscal year ending June 30, 2014, and each fiscal year thereafter, each local and regional board of education shall annually make available on the Internet web site of such local or regional board of education the aggregate spending on salaries, employee benefits, instructional supplies, educational media supplies, instructional equipment, regular education tuition, special education tuition, purchased services and all other expenditure items, excluding debt service, for each school under the jurisdiction of such local or regional board of education.

(b) For the fiscal year ending June 30, 2014, and each fiscal year thereafter, each regional educational service center shall annually make available on the Internet web site of such regional educational service center the aggregate spending on salaries, employee benefits, instructional supplies, educational media supplies, instructional equipment, regular education tuition, special education tuition, purchased services and all other expenditure items, excluding debt service, for each school under the jurisdiction of such regional

educational service center.

(c) For the fiscal year ending June 30, 2014, and each fiscal year thereafter, the governing authority for each state charter school shall annually make available on the Internet web site of such governing authority the aggregate spending on salaries, employee benefits, instructional supplies, educational media supplies, instructional equipment, regular education tuition, special education tuition, purchased services and all other expenditure items, excluding debt service, for each state charter school under the jurisdiction of such governing authority.

Sec. 193. (NEW) (*Effective July 1, 2013*) Any school-based health center may (1) extend its hours of operation, (2) provide services to students who do not reside in the school district that such school-based health center is located, (3) provide behavioral health services, (4) expand the health care services provided by such school-based health center, (5) conduct community outreach relating to services provided by such school-based health center, and (6) receive reimbursement for services from private insurance. Any services provided by a school-based health center under this section shall be provided in accordance with the terms of any license issued by the Department of Public Health to such school-based health center.

Sec. 194. (*Effective July 1, 2013*) The amounts appropriated in section 1 of this act to the Department of Education, for Neighborhood Youth Centers, for the fiscal years ending June 30, 2014, and June 30, 2015, shall be made available in each of said fiscal years for grants to the following: $70,586 to Boys and Girls Clubs of Southeastern Connecticut; $94,115 to Boys and Girls Clubs of Bridgeport; $70,000 to Bridgeport Housing Authority; $80,468 to Catholic Family Services; $804,685 to Connecticut Alliance of Boys and Girls Clubs; $71,057 to Central Connecticut Coast YMCA; $20,117 to Rivera Memorial Foundation Incorporated; $20,117 to Saint Margaret Willow Plaza; and

$40,234 to Valley Shore YMCA Incorporated.

Sec. 195. Section 4b-1b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

[(a) There is established a Department of Construction Services. The department head shall be the Commissioner of Construction Services, who shall be appointed by the Governor, in accordance with the provisions of sections 4-5 to 4-8, inclusive, with the powers and duties prescribed in sections 4-5 to 4-8, inclusive.**]**

[(b)**]** (a) The Department of Construction Services shall constitute a successor department to the Department of Public Works in accordance with the provisions of sections 4-38d, 4-38e and 4-39 with respect to those duties and functions of the Department of Public Works concerning construction and construction management pursuant to any provision of the general statutes.

[(c)**]** (b) The Department of Construction Services shall constitute a successor department to the Department of Public Safety with respect to the Division of Fire, Emergency and Building Services within the Department of Public Safety, except the portion of said division concerning emergency services, in accordance with the provisions of sections 4-38d, 4-38e and 4-39.

[(d)**]** (c) The Department of Construction Services shall constitute a successor department to the Department of Education in accordance with the provisions of sections 4-38d, 4-38e and 4-39 with respect to the issuance of school construction grants in accordance with chapter 173. On and after July 1, 2011, any regulation of the State Board of Education adopted pursuant to chapter 173 shall continue in force and effect until the Commissioner of Education, in consultation with the Commissioner of Construction Services, determines which regulations need to be transferred to the Department of Construction Services in

accordance with chapter 54 and either the Department of Construction Services or the State Board of Education amends such regulations to effect such transfer. Where any order or regulation of said departments conflict, the Commissioner of Construction Services or the Commissioner of Education may implement policies or procedures consistent with the provisions of chapter 173 while in the process of adopting such policies or procedures in regulation form, provided notice of intent to adopt such regulations is printed in the Connecticut Law Journal not later than twenty days after implementation. Any such policies or procedures shall be valid until the time final regulations are adopted.

[(e) Where any order or regulation of the Department of Public Works concerning construction or construction management or the Department of Public Safety, pursuant to chapter 541, conflict, the Commissioner of Construction Services may implement policies and procedures consistent with the provisions of this act while in the process of adopting the policies or procedures in regulation form, provided notice of intention to adopt regulations is printed in the Connecticut Law Journal not later than twenty days after implementation. Any such policies or procedures shall be valid until the time final regulations are effective.

(f) The commissioner may, within available appropriations, employ any other personnel that may be necessary in the performance of the department's functions.

(g) The commissioner may enter into contracts for the furnishing by any person or agency, public or private, of services necessary for the proper execution of the duties of the department. Any such contract that has a cost of three thousand dollars or more shall be subject to the approval of the Attorney General.

(h) The commissioner may perform any other acts that may be

necessary and appropriate to carry out the functions of the department as set forth in this section.**]**

(d) All powers and duties transferred to the Department of Construction Services by this section are transferred to the Department of Administrative Services, in accordance with the provisions of section 4-38d, 4-38e and 4-39.

Sec. 196. Section 4a-1 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) There shall be a Department of Administrative Services. The department head shall be the Commissioner of Administrative Services, who shall be appointed by the Governor in accordance with the provisions of sections 4-5, 4-6, 4-7 and 4-8, as amended by this act, with the powers and the duties therein prescribed.

(b) The Department of Administrative Services shall constitute a successor department to the Department of Public Works, except those duties relating to construction and construction management, in accordance with the provisions of sections 4-38d, 4-38e and 4-39. Where any order or regulation of said departments conflict, the Commissioner of Administrative Services may implement policies or procedures consistent with the provisions of this title and title 4b while in the process of adopting such policies or procedures in regulation form, provided notice of intent to adopt such regulations is printed in the Connecticut Law Journal not later than twenty days after implementation. Any such policies or procedures shall be valid until the time final regulations are adopted.

(c) The Department of Administrative Services shall constitute a successor department to the Department of Information Technology in accordance with the provisions of sections 4-38d, 4-38e and 4-39. Where any order or regulation of said departments conflict, the

Commissioner of Administrative Services may implement policies or procedures consistent with the provisions of title 4d while in the process of adopting such policies or procedures in regulation form, provided notice of intent to adopt such regulations is printed in the Connecticut Law Journal not later than twenty days after implementation. Any such policies or procedures shall be valid until the time final regulations are adopted.

(d) The Department of Administrative Services shall constitute a successor department to the Department of Construction Services in accordance with the provisions of sections 4-38d, 4-38e, 4-39 and 4b-1b, as amended by this act. Where any order or regulation of said departments conflict, the Commissioner of Administrative Services may implement policies or procedures consistent with the provisions of title 4b while in the process of adopting such policies or procedures in regulation form, provided notice of intent to adopt such regulations is printed in the Connecticut Law Journal not later than twenty days after implementation. Any such policies or procedures shall be valid until the time final regulations are adopted.

Sec. 197. Section 4a-2 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The Commissioner of Administrative Services shall have the following general duties and responsibilities:

(1) The establishment of personnel policy and responsibility for the personnel administration of state employees;

(2) The purchase and provision of supplies, materials, equipment and contractual services, as defined in section 4a-50;

(3) The publishing, printing or purchasing of laws, stationery, forms and reports;

(4) The collection of sums due the state for public assistance;

(5) The purchase and contracting for information systems and telecommunication system facilities, equipment and services for state agencies, in accordance with chapter 61;

(6) The purchase, sale, lease, sublease and acquisition of property and space to house state agencies and the construction, maintenance and development of such property, in accordance with chapters 59 and 60;

(7) Subject to the provisions of section 4b-21, the sale or exchange of any land or interest in land belonging to the state;

(8) The supervision of the care and control of building and grounds owned or leased by the state in Hartford, except (A) the buildings and grounds of the State Capitol and the Legislative Office Building and parking garage and related structures and facilities and grounds, as provided in section 2-71h, (B) any property of the Connecticut Marketing Authority, and (C) property under the supervision of the Office of the Chief Court Administrator as provided in section 4b-11; and

(9) The establishing and maintaining of security standards for all facilities housing the offices and equipment of the state except (A) Department of Transportation mass transit, marine and aviation facilities, (B) the State Capitol and Legislative Office Building and related facilities, (C) facilities under the care and control of The University of Connecticut or other constituent units of the state system of higher education, (D) Judicial Department facilities, (E) Department of Emergency Services and Public Protection facilities, (F) Military Department facilities, (G) Department of Correction facilities, (H) Department of Children and Families client-occupied facilities, (I) facilities occupied by the Governor, Lieutenant Governor, Attorney

General, Comptroller, Secretary of the State and Treasurer, and (J) facilities occupied by the Board of Pardons and Paroles. As used in this subdivision, "security" has the same meaning as provided in section 4b-30.

(b) Notwithstanding any other provision of the general statutes, the commissioner may supervise the care and control of (1) any state-owned or leased office building, and related buildings and grounds, outside the city of Hartford, used as district offices, except any state-owned or leased office building, and such buildings and grounds, used by the Judicial Department or The University of Connecticut, and (2) any other state-owned or leased property, other than property of The University of Connecticut, on a temporary or permanent basis, if the commissioner, the Secretary of the Office of Policy and Management and the executive head of the department or agency supervising the care and control of such property agree, in writing, to such supervision.

(c) Subject to the provisions of chapter 67, the Commissioner of Administrative Services may appoint such employees as are necessary for carrying out the duties prescribed to said commissioner by the general statutes.

Sec. 198. Section 4-5 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

As used in sections 4-6, 4-7 and 4-8, the term "department head" means Secretary of the Office of Policy and Management, Commissioner of Administrative Services, Commissioner of Revenue Services, Banking Commissioner, Commissioner of Children and Families, **[**Commissioner of Construction Services,**]** Commissioner of Consumer Protection, Commissioner of Correction, Commissioner of Economic and Community Development, State Board of Education, Commissioner of Emergency Services and Public Protection,

Commissioner of Energy and Environmental Protection, Commissioner of Agriculture, Commissioner of Public Health, Insurance Commissioner, Labor Commissioner, Liquor Control Commission, Commissioner of Mental Health and Addiction Services, Commissioner of Social Services, Commissioner of Developmental Services, Commissioner of Motor Vehicles, Commissioner of Transportation, Commissioner of Veterans' Affairs, Commissioner of Housing, Commissioner of Rehabilitation Services and the executive director of the Office of Military Affairs. As used in sections 4-6 and 4-7, "department head" also means the Commissioner of Education and the president of the Board of Regents for Higher Education.

Sec. 199. Section 4-38c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

There shall be within the executive branch of state government the following departments: Office of Policy and Management, Department of Administrative Services, Department of Revenue Services, Department of Banking, Department of Agriculture, Department of Children and Families, Department of Consumer Protection, Department of Correction, Department of Economic and Community Development, State Board of Education, Department of Emergency Services and Public Protection, Department of Energy and Environmental Protection, Department of Public Health, Board of Regents for Higher Education, Insurance Department, Labor Department, Department of Mental Health and Addiction Services, Department of Developmental Services, Department of Social Services, Department of Transportation, Department of Motor Vehicles **[**,**]** and Department of Veterans' Affairs. **[**and Department of Construction Services.**]**

Sec. 200. Section 4a-1a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) (1) Wherever the term "Commissioner of Public Works" or "Public Works Commissioner" is used in the following sections of the general statutes, the term "Commissioner of Administrative Services" shall be substituted in lieu thereof; and (2) wherever the term "Department of Public Works" is used in the following sections of the general statutes, the term "Department of Administrative Services" shall be substituted in lieu thereof: 1-205, 1-210, 2-71h, 3-10, 3-14b, 4-87, 4b-2, 4b-4, 4b-12, 4b-13, 4b-17, 4b-21, 4b-24a, 4b-25, 4b-27, 4b-29, 4b-30, 4b-30a, 4b-33, 4b-34, 4b-35, 4b-46, 4b-65, 4b-67, 4b-68, 4b-69, 4b-71, 4b-72, 4b-73, 4b-74, 4b-130, 4b-132, 8-37y, 10a-89, 10a-150, 13a-80i, 13b-42, 13b-55, 16a-38h, 17b-655, 18-31b, 20-68, 20-311b, 20-503, 22a-324, 31-250, 32-6, 32-228, 45a-80, 46a-29, 51-27a, 51-27c, 51-27d, 51-51k and 51-279.

(b) (1) Wherever the term "Commissioner of Construction Services" is used in the following sections of the general statutes, the term "Commissioner of Administrative Services" shall be substituted in lieu thereof; and (2) wherever the term "Department of Construction Services" is used in the following sections of the general statutes, the term "Department of Administrative Services" shall be substituted in lieu thereof: 3-20, 3-21d, 4-61, 4-89, 4b-1, 4b-1a, 4b-16, 4b-22a, 4b-24b, 4b-51, 4b-51a, 4b-53, 4b-54, 4b-55, 4b-55a, 4b-56, 4b-60, 4b-63, 4b-70, 4b-91, 4b-100, 4b-100a, 4b-102, 4b-103, 4b-133, 4b-134, 5-198, 7-323p, 10-220, 10-282, 10-283, 10-283b, 10-284, 10-285d, 10-285e, 10-285g, 10-286, 10-286d, 10-286e, 10-286g, 10-286h, 10-287, 10-287c, 10-287d, 10-287i, 10-289h, 10-290a, 10-290b, 10-290e, 10-290f, 10-291, 10-291a, 10-292q, 10a-90, 10a-91, 10a-91c, 10a-91d, 10a-109ff, 13b-20n, 15-120qq, 16a-37v, 16a-38, 16a-38a, 16a-38b, 16a-38d, 16a-38i, 16a-38j, 16a-38k, 16a-38*l*, 16a-39, 17a-27, 17a-27d, 17a-154, 17a-451b, 17b-739, 20-330, 21a-86f, 22-64, 22a-6, 22a-12, 22a-439a, 22a-459, 26-3, 27-45, 27-131, 29-109, 29-117, 29-127, 29-191, 29-192, 29-199, 29-200, 29-204, 29-221, 29-221 as amended by section 2 of public act 12-199, 29-222, 29-224b, 29-234, 29-235, 29-236, 29-237, 29-238, 29-239, 29-240, 29-244, 29-250, 29-251, 29-

251a, 29-251b, 29-251c, 29-252, 29-252a, 29-254b, 29-256, 29-256a, 29-256b, 29-258, 29-261, 29-262, 29-262a, 29-263, 29-269a, 29-291, 29-298a, 29-313, 29-315, 29-315c, 29-317, 29-317, as amended by section 7 of public act 09-177, sections 1 and 6 of public act 10-54, section 90 of public act 11-51 and sections 3 and 4 of public act 12-60, 29-319, 29-320, 29-320, as amended by section 8 of public act 09-177, sections 2 and 6 of public act 10-54, section 90 of public act 11-51 and sections 3 and 4 of public act 12-60, 29-321, 29-325, 29-331, 29-331, as amended by section 14 of public act 09-177, section 6 of public act 10-54, section 90 of public act 11-51 and sections 3 and 4 of public act 12-60, 29-333, 29-337, 29-337, as amended by section 15 of public act 09-177, section 6 of public act 10-54, section 90 of public act 11-51 and sections 3 and 4 of public act 12-60, 29-338, 29-344, 29-345, 29-346, 29-349, 29-355, 29-359, 29-367, 29-367, as amended by section 18 of public act 09-177, sections 4 and 6 of public act 10-54, section 90 of public act 11-51 and sections 3 and 4 of public act 12-60, 29-401, 29-402, 29-403, 31-57, 32-612, 32-613, 32-655a, 32-656 and 49-41b.

(c) Wherever the term "Department of Construction Services" is used or referred to in any public or special act of 2013, or in any section of the general statutes which is amended in 2013, "Department of Administrative Services" shall be substituted in lieu thereof.

(d) Wherever the term "Commissioner of Construction Services" is used or referred to in any public or special act of 2013, or in any section of the general statutes which is amended in 2013, "Commissioner of Administrative Services" shall be substituted in lieu thereof.

[(b)**]** (e) The Legislative Commissioners' Office shall, in codifying the provisions of this section, make such technical, grammatical and punctuation changes as are necessary to carry out the purposes of this section.

Sec. 201. Subsection (a) of section 4-256 of the general statutes is

repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) On and after October 27, 2011, and prior to January 1, 2015, the Governor shall approve not more than five projects to be implemented as public-private partnership projects. The Governor shall not approve any such project unless the Governor finds that the project will result in job creation and economic growth. Any agency seeking to establish a public-private partnership shall, after consultation with the Commissioners of Economic and Community Development, **[**Construction Services**]** Administrative Services and Transportation, the State Treasurer and the Secretary of the Office of Policy and Management, submit one or more projects to the Governor for approval.

Sec. 202. Subsection (a) of section 4a-57d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) On or before January 1, 2012, the Commissioner of Administrative Services, in consultation with the Labor Commissioner, the president of The University of Connecticut and the **[**Commissioners of Construction Services and**]** Commissioner of Transportation, or their designees, shall submit a report, in accordance with the provisions of section 11-4a, to the Governor and the joint standing committee of the General Assembly having cognizance of matters relating to labor. Such report shall include (1) an analysis of any law or economic factor that results in a resident bidder being at a disadvantage to a nonresident bidder in submitting the lowest responsible qualified bid, (2) the reason any enacted law designed to give preference to state citizens for employment on public works projects is not being enforced, and (3) recommendations for administrative or legislative action, within the confines of clause 3 of section 8 of article 1 of the United States Constitution, to increase the

number of state contracts awarded to resident bidders through an in-state contract preference or otherwise.

Sec. 203. Subsection (b) of section 4a-62 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(b) The committee may request any agency of the state authorized to award public works contracts or to enter into purchase of goods or services contracts to submit such information on compliance with sections 4a-60 and 4a-60g and at such times as the committee may require. The committee shall consult with the Departments of Administrative Services, **[**Construction Services,**]** Transportation and Economic and Community Development and the Commission on Human Rights and Opportunities concerning compliance with the state programs for minority business enterprises. The committee shall report annually on or before February first to the Joint Committee on Legislative Management on the results of its ongoing study and include its recommendations, if any, for legislation.

Sec. 204. Subsections (k) and (l) of section 4a-100 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(k) (1) Any substantial evidence of fraud in obtaining or maintaining prequalification or any materially false statement in the application, update statement or update bid statement may, in the discretion of the awarding authority, result in termination of any contract awarded the contractor by the awarding authority. The awarding authority shall provide written notice to the commissioner of such false statement not later than thirty days after discovering such false statement. The commissioner shall provide written notice of such false statement to **[**the Commissioner of Construction Services,**]** the Commissioner of Consumer Protection and the president of The

University of Connecticut not later than thirty days after discovering such false statement or receiving such notice.

(2) The commissioner shall deny or revoke the prequalification of any contractor or substantial subcontractor if the commissioner finds that the contractor or substantial subcontractor, or a principal or key personnel of such contractor or substantial contractor, within the past five years (A) has included any materially false statement in a prequalification application, update statement or update bid statement, (B) has been convicted of, entered a plea of guilty or nolo contendere for, or admitted to, a crime related to the procurement or performance of any public or private construction contract, or (C) has otherwise engaged in fraud in obtaining or maintaining prequalification. Any revocation made pursuant to this subsection shall be made only after an opportunity for a hearing. Any contractor or substantial subcontractor whose prequalification has been revoked pursuant to this subsection shall be disqualified for a period of two years after which the contractor or substantial subcontractor may reapply for prequalification, except that a contractor or substantial subcontractor whose prequalification has been revoked on the basis of conviction of a crime or engaging in fraud shall be disqualified for a period of five years after which the contractor or substantial subcontractor may reapply for prequalification. The commissioner shall not prequalify a contractor or substantial subcontractor whose prequalification has been revoked pursuant to this subdivision until the expiration of said two-year, five-year, or other applicable disqualification period and the commissioner is satisfied that the matters that gave rise to the revocation have been eliminated or remedied.

(l) The commissioner shall provide written notice of any revocation, disqualification, reduction in classification or capacity rating or reinstated prequalification to **[**the Commissioner of Construction

Services,**]** the Commissioner of Consumer Protection and the president of The University of Connecticut not later than thirty days after any final determination.

Sec. 205. Subsection (d) of section 4b-3 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(d) Notwithstanding any other statute or special act to the contrary, the Commissioner of Administrative Services shall be the sole person authorized to represent the state in its dealings with third parties for the construction, development, acquisition or leasing of real estate for housing the offices or equipment of all agencies of the state or for the state-owned public buildings or realty, **[**and the Commissioner of Construction Services shall be the sole person authorized to represent the state in its dealings with third parties for the construction or development of real estate or state-owned public buildings or realty,**]** as provided for in sections 2-90, 4b-1 to 4b-5, inclusive, 4b-21, 4b-23, as amended by this act, 4b-24, as amended by this act, 4b-26, 4b-27, 4b-30 and 4b-32, subsection (c) of section 4b-66 and sections 4b-67 to 4b-69, inclusive, 4b-71, 4b-72, 10-95, 10a-72, as amended by this act, 10a-89, 10a-90, 10a-114, 10a-130, 10a-144, 17b-655, 22-64, 22a-324, 26-3, 27-45, 32-1c, 32-39, 48-9, 51-27d and 51-27f, except that (1) the Joint Committee on Legislative Management may represent the state in the planning and construction of the Legislative Office Building and related facilities, in Hartford; (2) the Chief Court Administrator may represent the state in providing for (A) space for the Court Support Services Division as part of a new or existing contract for an alternative incarceration program pursuant to section 54-103b or a program developed pursuant to section 46b-121i, 46b-121j, 46b-121k or 46b-121*l*, or (B) other real estate needs of the Judicial Branch when delegated authority to do so by the Commissioner of Administrative Services; (3) the board of trustees of a constituent unit of the state system of higher

education may represent the state in the leasing of real estate for housing the offices or equipment of such constituent unit, provided no lease payments for such realty are made with funds generated from the general revenues of the state; (4) the Labor Commissioner may represent the state in the leasing of premises required for employment security operations as provided in subsection (c) of section 31-250; (5) the Commissioner of Developmental Services may represent the state in the leasing of residential property as part of the program developed pursuant to subsection (b) of section 17a-218, provided such residential property does not exceed two thousand five hundred square feet, for the community placement of persons eligible to receive residential services from the department; (6) the Commissioner of Mental Health and Addiction Services may represent the state in the leasing of residential units as part of a program developed pursuant to section 17a-455a, provided each such residential unit does not exceed two thousand five hundred square feet; and (7) the Connecticut Marketing Authority may represent the state in the leasing of land or markets under the control of the Connecticut Marketing Authority, and, except for the housing of offices or equipment in connection with the initial acquisition of an existing state mass transit system or the leasing of land by the Connecticut Marketing Authority for a term of one year or more in which cases the actions of the Department of Transportation and the Connecticut Marketing Authority shall be subject to the review and approval of the State Properties Review Board. The Commissioner of Administrative Services **[**shall have the power to**]** may establish and implement any procedures necessary for the commissioner to assume the commissioner's responsibilities as said sole bargaining agent for state realty acquisitions and shall perform the duties necessary to carry out such procedures. The Commissioner of Administrative Services **[**or the Commissioner of Construction Services**]** may appoint, within **[**each**]** the department's budget and subject to the provisions of chapter 67, such personnel deemed necessary by the **[**applicable**]** commissioner to carry out the provisions **[**hereof**]** of this section, including experts in

real estate, construction operations, financing, banking, contracting, architecture and engineering. The Attorney General's office, at the request of the Commissioner of Administrative Services, shall assist the **[**Commissioner of Administrative Services**]** commissioner in contract negotiations regarding the purchase**, [**or**]** lease or construction of real estate. **[**, and, at the request of the Commissioner of Construction Services, shall assist said commissioner in contract negotiations regarding the construction of real estate.**]**

Sec. 206. Section 4b-23 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) As used in this section, "facility" means buildings and real property owned or leased by the state. The Secretary of the Office of Policy and Management shall establish guidelines which further define such term. All agencies and departments of the state shall notify the Secretary of the Office of Policy and Management of their facility needs including, but not limited to, the types of such facilities and the municipalities or general location for the facilities. Each agency and department shall continue long-range planning for facility needs, establish a plan for its long-range facility needs and submit such plan and related facility project requests to the Secretary of the Office of Policy and Management, and a copy thereof to the Commissioner of Administrative Services, on or before September first of each even-numbered year. Each such request shall be accompanied by a capital development impact statement, as required by section 4-66b, and a colocation statement, as required by section 4b-31, if the secretary so requires. Each agency and department shall base its long-term planning for facility needs on a program plan. The secretary shall establish a content guide and schedule for such plans. Each agency and department shall prepare its program plan in accordance with such guide and file it with the secretary pursuant to such schedule. Facility plans shall include, but not be limited to: Identification of (1) long-term

and short-term facility needs, (2) opportunities for the substitution of state-owned space for leased space, (3) facilities proposed for demolition or abandonment which have potential for other uses, (4) space modifications or relocations that could result in cost or energy savings, and (5) facilities known to be brownfields. Each agency or department program plan and facility plan and its facility project requests shall cover a period of at least five years. The secretary shall provide agencies and departments with instructions for preparing program plans, long-term facility plans and facility project requests and shall provide appropriate programmatic planning assistance. The **[**Commissioners**]** Commissioner of Administrative Services **[**and Construction Services**]** shall assist agencies and departments with long-term facilities planning and the preparation of cost estimates for such plans and requests. The Secretary of the Office of Policy and Management shall review such plans and prepare an integrated state facility plan which meets the aggregate facility needs of the state. The secretary shall review the cost effective retrofit measures recommended to **[**him**]** the secretary by the Commissioner of **[**Construction**]** Administrative Services under subsection (b) of section 16a-38a, as amended by this act, and include in the plan those measures which would best attain the energy performance standards established under subdivision (1) of subsection (b) of section 16a-38, as amended by this act.

(b) On or before December first of each even-numbered year, the Commissioner of Administrative Services shall provide the Secretary of the Office of Policy and Management with a review of the plans and requests submitted pursuant to subsection (a) of this section for consistency with realistic cost factors, space requirements, space standards, implementation schedules, priority needs, objectives of the Commissioner of Administrative Services in carrying out his or her responsibilities under section 4b-30 and the need for the maintenance, improvement and replacement of state facilities.

(c) The Secretary of the Office of Policy and Management shall present a proposed state facility plan to the Properties Review Board on or before February fifteenth of each odd-numbered year. Such plan shall be known as the recommended state facility plan and shall include all leases and capital projects and a statement of the degree to which it promotes the colocation goals addressed in subsection (e) of section 4b-31. The secretary shall establish guidelines defining "capital projects". The Properties Review Board shall submit its recommendations to the secretary on or before March first of each odd-numbered year. The Properties Review Board recommendations shall address the goals described in subsection (e) of section 4b-31. The secretary shall present the recommended state facility plan to the General Assembly on or before March fifteenth of each odd-numbered year.

(d) Upon the approval by the General Assembly of the operating and capital budget appropriations, the Secretary of the Office of Policy and Management shall update and modify the recommended state facility plan, which shall then be known as the state facility plan. The state facility plan shall be used as an advisory document for the leasing of property for use by state agencies and departments and for related capital projects.

(e) Implementation of the state facility plan shall be the responsibility of the Commissioner of Administrative Services who shall conduct a study of each proposed facility in the plan to determine: (1) The method of choice for satisfying each such facility need, (2) the geographical areas best suited to such need, (3) the feasibility and cost of such acquisition using a life-cycle cost analysis as established by subdivision (2) of subsection (b) of section 16a-38, as amended by this act, (4) the degree to which the plan promotes the goals addressed in subsection (e) of section 4b-31, and (5) any other relevant factors. Said commissioner shall review and approve each

facility plan implementation action and shall submit to the Properties Review Board a list of each such action approved and the method and plan by which it shall be accomplished. Said commissioner shall endeavor to locate human services agencies in the same buildings as municipal and private agencies that provide human services. The results of said commissioner's study along with all supportive materials shall be immediately sent to the Properties Review Board. The board shall meet to review the decision of the commissioner and may request the commissioner or any member of **[**his**]** the commissioner's department, and the head of the requesting agency or any of his or her employees to appear for the purpose of supplying pertinent information. Said board shall call a meeting **[**within**]** not later than two weeks **[**of**]** after the receipt of the commissioner's decision, and may meet as often as necessary, to review said decision. The board, **[**within**]** not later than ninety days after the receipt of the decision of the Commissioner of Administrative Services, shall either accept, reject or request modification of such decision, except that when more time is required, the board may have a ninety-day extension of time, provided the board shall advise the Commissioner of Administrative Services in writing as to the reasons for such extension of time. If such decision is disapproved by the board, it shall so inform the commissioner along with its reasons therefor, and the commissioner shall inform the head of the requesting agency and the Secretary of the Office of Policy and Management that its request has been rejected. If such decision is approved by the board it shall inform the commissioner of such approval and the commissioner shall immediately communicate his decision to the head or acting head of such governmental unit and to the Secretary of the Office of Policy and Management and shall set forth the procedures to be taken to accomplish the results of such decision. The decision to make public such decision shall rest solely with the Commissioner of Administrative Services both as to time and manner of disclosure, but in no event shall such period exceed one year. The commissioner shall,

when he or she deems it to be in the public interest, authorize the disclosure of such information; however, in the absence of such authorization, any unauthorized disclosure shall be subject to the criminal provisions of section 4b-27. All decisions made by the commissioner under the provisions of this section shall require review by the board. Except as otherwise hereinafter provided, the approval or disapproval of the Properties Review Board shall be binding on the commissioner and the requesting agency with regard to the acquisition of any real estate by lease or otherwise, notwithstanding any other statute or special act to the contrary. A majority vote of the board shall be required to accept or reject a decision of the commissioner.

(f) **[**Within**]** Not later than forty-five days **[**from**]** after the date of the board's decision regarding the request of a governmental unit, the head or acting head of such unit shall notify the Commissioner of Administrative Services (1) that it accepts **[**his**]** the commissioner's decision, (2) that it rejects **[**his**]** the commissioner's decision and withdraws its request, or (3) that it does not approve such decision and requests that all or part of such decision be modified by the commissioner. When such modification is requested, the Commissioner of Administrative Services shall, **[**within**]** not later than three weeks **[**from**]** after receipt of such request, consider and act upon such request for modification and submit his or her decision to the Properties Review Board. If the commissioner and the board fail to agree to such modification in whole or in part, the governmental unit may, **[**within**]** not later than ten days **[**from**]** after the date of notification of such final decision, accept the commissioner's final decision, reject such decision and withdraw its request, or appeal to the Governor. Upon such appeal, the Commissioner of Administrative Services shall submit a report to the Governor stating the board's conclusions and supporting material therefor and the governmental agency shall submit a report to the Governor stating its objections to such decision and its supporting material therefor. The Governor shall,

[within**]** not later than thirty days **[**of**]** after the receipt of such reports, make a decision which shall be binding on the parties involved. In the absence of any such appeal or withdrawal of request, the decision of the commissioner and the board shall be final and binding upon the governmental unit.

(g) After final action is taken approving any request or modification thereof, condemnation procedures shall continue to be prosecuted in the same manner as they were on July 1, 1975, by the agency involved, where such procedures are applicable and authorized by statute.

(h) Approval by the Properties Review Board shall not be required prior to State Bond Commission authorization of funds (1) for planning costs and other preliminary expenses for any construction or acquisition project, or (2) for any construction or acquisition project for which an architect was selected prior to July 1, 1975.

(i) As used in this subsection, (1) "project" means any state program, except the downtown Hartford higher education center project, as defined in subsection (l) of section 4b-55, requiring consultant services if the cost of such services is estimated to exceed one hundred thousand dollars or, in the case of a constituent unit of the state system of higher education, the cost of such services is estimated to exceed three hundred thousand dollars, or in the case of a building or premises under the supervision of the Office of the Chief Court Administrator or property where the Judicial Department is the primary occupant, the cost of such services is estimated to exceed three hundred thousand dollars; (2) "consultant" means "consultant" as defined in section 4b-55; and (3) "consultant services" means "consultant services" as defined in section 4b-55. Any contracts entered into by the Commissioner of **[**Construction**]** Administrative Services with any consultants for employment (A) for any project under the provisions of this section, (B) in connection with a list established under subsection (d) of section 4b-51, or (C) by task letter issued by the

Commissioner of [Construction] Administrative Services to any consultant on such list pursuant to which the consultant will provide services valued in excess of one hundred thousand dollars, shall be subject to the approval of the Properties Review Board prior to the employment of [said] such consultant or consultants by the commissioner. The Properties Review Board shall, [within] not later than thirty days after receipt of such selection of or contract with any consultant, approve or disapprove the selection of or contract with any consultant made by the Commissioner of Construction Services pursuant to sections 4b-1 and 4b-55 to 4b-59, inclusive. If upon the expiration of the thirty-day period a decision has not been made, the Properties Review Board shall be deemed to have approved such selection or contract.

(j) The Properties Review Board shall, [within] not later than thirty days after receipt, approve or disapprove the proposed acquisition by lease of any residential property by the Commissioner of Developmental Services pursuant to subsection (d) of section 4b-3, as amended by this act. If upon the expiration of such thirty-day period a decision has not been made, the Properties Review Board shall be deemed to have approved such lease.

(k) Any agency or department of state government requiring additional facilities not included in the state facility plan may submit a request to the Secretary of the Office of Policy and Management outlining the justification for its request. The agency or department shall also provide (1) in the case of a request not previously submitted to the secretary pursuant to subsection (a) of this section, the reasons why it was not so submitted, and (2) in the case of a request so submitted, sufficient new information to warrant reconsideration. Such request shall include a statement of the degree to which the proposed state facility plan promotes the goals addressed in subsection (e) of section 4b-31, if the secretary so requires. Such request shall also be

accompanied by a capital development impact statement as required under section 4-66b, if the secretary so requires. Subsections (b) to (d), inclusive, of this section shall not apply to the review of such requests. Any such request for additional facilities which are determined by the Secretary of the Office of Policy and Management to be of emergency nature or the lack of which may seriously hinder the efficient operation of the state, may be approved by the Properties Review Board and the Secretary of the Office of Policy and Management and shall be known as an approval made during the interim between state facility plans. No action may be taken by the state to lease or construct such additional facilities unless the secretary makes such a determination.

(l) The Commissioner of Administrative Services shall monitor the amount of leased space being requested and the costs of all proposed and approved facility project actions and, in the case of space or facility projects for which bond funds were authorized, shall advise the Secretary of the Office of Policy and Management and the Governor when the space to be leased or the forecast costs to complete the project exceed the square footage amount or the cost levels in the approved state facility plan by ten per cent or more. Approval of the Secretary of the Office of Policy and Management, the Properties Review Board, the State Bond Commission and the Governor shall be required to continue the project.

(m) (1) Plans to construct, renovate or modify state-owned or occupied buildings shall provide for a portion of the total planned floor area of newly constructed state buildings or buildings constructed specifically for use by the state to be served by renewable sources of energy, including solar, wind, water and biomass sources, for use in space heating and cooling, domestic hot water and other applications. For the plan due December 1, 1979, the portion to be served by renewable energy sources shall be not less than five per cent of total planned new floor area. For each succeeding state facilities

plan submitted after December 1, 1979, the portion of the total planned floor area of any additional newly constructed state buildings or buildings constructed specifically for use by the state to be served by renewable energy sources shall be increased by at least five per cent per year until a goal of fifty per cent of total planned floor area of any additional newly constructed state buildings or buildings constructed specifically for use by the state is reached. For any facility served by renewable energy sources in accordance with this subsection, not less than thirty per cent of the total energy requirements of any specific energy application, including, but not limited to, space heating or cooling and providing domestic hot water, shall be provided by renewable energy sources. The installation in newly constructed state buildings or buildings constructed specifically for use by the state of systems using renewable energy sources in accordance with this subsection, shall be subject to the life-cycle cost analysis provided for in section 16a-38. (2) The state shall fulfill the obligations imposed by subdivision (1) of this subsection unless such action would cause an undue economic hardship to the state.

(n) The recommended state facility plan shall include policies for:

(1) The encouragement of the acquisition, transfer and utilization of space in suitable buildings of historic, architectural or cultural significance, unless use of such space would not prove feasible and prudent compared with available alternatives;

(2) The encouragement of the location of commercial, cultural, educational and recreational facilities and activities within public buildings;

(3) The provision and maintenance of space, facilities and activities to the extent practicable, which encourage public access to and stimulate public pedestrian traffic around, into and through public buildings, permitting cooperative improvements to and uses of the

areas between the building and the street, so that such activities complement and supplement commercial, cultural, educational and recreational resources in the neighborhood of public buildings;

(4) The encouragement of the public use of public buildings for cultural, educational and recreational activities;

(5) The encouragement of the ownership or leasing of modern buildings to replace obsolete facilities, achieve cost and energy efficiencies, maximize delivery of services to the public, preserve existing infrastructure and provide a comfortable and space-efficient work environment; and

(6) The encouragement of the establishment of child day care facilities and child development centers including provisions for (A) full-day and year-round programs for children of working parents, (B) opportunities for parents to choose among accredited public or private programs, (C) open enrollment for children in child day care and school readiness programs, and (D) incentives for the colocation and service integration of child day care programs and school readiness programs pursuant to section 4b-31.

(o) The Commissioner of Administrative Services shall adopt regulations, in consultation with the Secretary of the Office of Policy and Management and the State Properties Review Board, and in accordance with the provisions of chapter 54, setting forth the procedures which the Department of Administrative Services and said office and board shall follow in carrying out their responsibilities concerning state leasing of offices, space or other facilities. Such regulations shall specify, for each step in the leasing process at which an approval is needed in order to proceed to the next step, what information shall be required, who shall provide the information and the criteria for granting the approval. Notwithstanding any other provision of the general statutes, such regulations shall provide that:

(1) The Commissioner of Administrative Services shall (A) review all lease requests included in, and scheduled to begin during, the first year of each approved state-wide facility and capital plan and (B) provide the Secretary of the Office of Policy and Management with an estimate of the gross cost and total square footage need for each lease, (2) the secretary shall approve a gross cost and a total square footage for each such lease and transmit each decision to the requesting agency, the commissioner and the State Properties Review Board, (3) the commissioner shall submit all leases, lease renewals and hold over agreements to the secretary for approval, and (4) the secretary shall approve or disapprove any such lease request or agreement not more than ten working days after the secretary receives the request or agreement.

Sec. 207. Subdivision (4) of section 4b-24 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(4) After the authorization of a project under the provisions of section 4b-23, as amended by this act, the Auditors of Public Accounts and the auditors or accountants of the Commissioner of Administrative Services **[**or the Commissioner of Construction Services, as applicable,**]** shall have the right to audit the books of any contractor employed by **[**either**]** the commissioner pursuant to such authorization, or of any party negotiating with the Commissioner of Administrative Services for the acquisition of land by lease or otherwise; provided any such audit shall be limited to the project authorized by the Commissioner of Administrative Services **[**or the Commissioner of Construction Services**]** and the Properties Review Board, and provided further that in the case of a party negotiating with the Commissioner of Administrative Services, such audit may also be conducted after the negotiations have ended, if a contract is consummated with **[**either**]** the commissioner.

Sec. 208. Section 4b-36 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

Subject to the provisions of section 4b-30, the Commissioner of **[**Construction**]** Administrative Services may enter into contracts for the construction upon state-owned land of buildings or facilities or both, and **[**the Commissioner of Administrative Services may enter into contracts**]** for the subsequent leasing of such building or facilities to the state to meet the needs of agencies and institutions, without first leasing the underlying state-owned land to the developer. Such contracts shall contain provisions providing for the state to buy the buildings and facilities for a lump sum at stated times during or at the end of the lease term or, at the state's option, to buy the same by paying the purchase price in installments.

Sec. 209. Section 4b-52 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) (1) No repairs, alterations or additions involving expense to the state of five hundred thousand dollars or less or, in the case of repairs, alterations or additions to a building rented or occupied by the Judicial Branch, one million two hundred fifty thousand dollars or less or, in the case of repairs, alterations or additions to a building rented or occupied by a constituent unit of the state system of higher education, two million dollars or less, shall be made to any state building or premises occupied by any state officer, department, institution, board, commission or council of the state government and no contract for any construction, repairs, alteration or addition shall be entered into without the prior approval of the Commissioner of **[**Construction**]** Administrative Services, except repairs, alterations or additions to a building under the supervision and control of the Joint Committee on Legislative Management and repairs, alterations or additions to a building under the supervision of The University of Connecticut. Repairs, alterations or additions which are made pursuant to such

approval of the Commissioner of **[**Construction**]** Administrative Services shall conform to all guidelines and procedures established by the Department of **[**Construction**]** Administrative Services for agency-administered projects. (2) Notwithstanding the provisions of subdivision (1) of this subsection, repairs, alterations or additions involving expense to the state of five hundred thousand dollars or less may be made to any state building or premises under the supervision of the Office of the Chief Court Administrator or a constituent unit of the state system of higher education, under the terms of section 4b-11, and any contract for any such construction, repairs or alteration may be entered into by the Office of the Chief Court Administrator or a constituent unit of the state system of higher education without the approval of the Commissioner of **[**Construction**]** Administrative Services.

(b) Except as provided in this section, no repairs, alterations or additions involving an expense to the state of more than five hundred thousand dollars or, in the case of repairs, alterations or additions to a building rented or occupied by the Judicial Branch, more than one million two hundred fifty thousand dollars, or, in the case of repairs, alterations or additions to a building rented or occupied by a constituent unit of the state system of higher education, more than two million dollars, shall be made to any state building or premises occupied by any state officer, department, institution, board, commission or council of the state government, nor shall any contract for any construction, repairs, alteration or addition be entered into, until the Commissioner of **[**Construction**]** Administrative Services or, in the case of the construction or repairs, alterations or additions to a building under the supervision and control of the Joint Committee on Legislative Management of the General Assembly, said joint committee or, in the case of construction, repairs, alterations or additions to a building involving expenditures in excess of five hundred thousand dollars but not more than one million two hundred

fifty thousand dollars under the supervision and control of the Judicial Branch, said Judicial Branch or, in the case of the construction, repairs, alterations or additions to a building involving expenditures in excess of five hundred thousand dollars but not more than two million dollars under the supervision and control of one of the constituent units of higher education, the constituent unit, has invited bids thereon and awarded a contract thereon, in accordance with the provisions of sections 4b-91 to 4b-96, inclusive. The Commissioner of **[**Construction**]** Administrative Services, with the approval of the authority having the supervision of state employees or the custody of inmates of state institutions, without the necessity of bids, may employ such employees or inmates and purchase or furnish the necessary materials for the construction, erection, alteration, repair or enlargement of any such state building or premises occupied by any state officer, department, institution, board, commission or council of the state government.

(c) Whenever the Commissioner of **[**Construction**]** Administrative Services declares that an emergency condition exists at any state facility, other than a building under the supervision and control of the Joint Committee on Legislative Management, and that the condition would adversely affect public safety or the proper conduct of essential state government operations, or said joint committee declares that such an emergency exists at a building under its supervision and control, the commissioner or the joint committee may employ such assistance as may be required to restore facilities under their control and management, or the commissioner may so act upon the request of a state agency, to restore facilities under the control and management of such agency, without inviting bids as required in subsection (b) of this section. The commissioner shall take no action requiring the expenditure of more than five hundred thousand dollars to restore any facility under this subsection (1) without the written consent of the Governor, and (2) until the commissioner has certified to the joint

committee of the General Assembly having cognizance of matters relating to legislative management that the project is of such an emergency nature that an exception to subsection (b) of this section is required. Such certification shall include input from all affected agencies, detail the need for the exception and include any relevant documentation. The provisions of this subsection shall not apply if any person is obligated under the terms of an existing contract with the state to render such assistance. The annual report of the commissioner shall include a detailed statement of all expenditures made under this subsection.

(d) The Commissioner of Administrative Services may, during the term of a lease of a building or premises occupied by any state offices, department, institution, board, commission or council of the state government, (1) renegotiate the lease in order to enable the lessor to make necessary alterations or additions up to a maximum amount of five hundred thousand dollars, **[**in consultation with the Commissioner of Construction Services**]** and subject to the approval of the State Properties Review Board, or (2) require that a security audit be conducted for such building or premises and, if necessary, renegotiate the lease in order to enable the lessor to make necessary alterations or additions to bring the building or premises into compliance with the security standards for state agencies established under section 4b-132. Alterations or additions under subdivision (2) of this subsection shall not be subject to the spending limit in subdivision (1) of this subsection, and a renegotiated lease under said subdivision (2) shall be subject to the approval of the State Properties Review Board, provided such approval requirement shall not compromise the security requirements of chapter 60a and this section. The commissioner shall determine the manner of submission, conditions and requirements of bids and awards made for alterations or additions under this subsection. No lease shall be renegotiated under this subsection for a term less than five years. As used in this subsection,

"security" and "security audit" have the meanings assigned to such terms in section 4b-130.

Sec. 210. Section 4b-62 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The Commissioner of Administrative Services may accept and execute any trusts, testamentary or otherwise, created or established for the purpose of procuring, erecting and maintaining any memorial on public grounds or within public buildings of the state or any municipality therein, and the court of probate in which a will creating any such trust has been proved may appoint said commissioner as trustee to execute such trust without requiring said commissioner to furnish a probate bond as such trustee; but this section shall not be construed as empowering said commissioner to erect or maintain any such memorial upon the grounds or within or upon any public building belonging to the state without the consent of the General Assembly, nor upon any grounds nor within or upon any public building belonging to any city or town, without the consent of the common council of the city or the selectmen of the town, as the case may be. The commissioner shall not, without special authority from the General Assembly, **[**or without consultation with the Commissioner of Construction Services,**]** make, erect or remove from its location any statue or sculpture upon the property of the state.

Sec. 211. Subsection (a) of section 4b-66a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) There is established a Connecticut Capitol Center Commission. The commission shall consist of (1) the Secretary of the Office of Policy and Management, or the secretary's designee; (2) the Commissioner of Administrative Services, or the commissioner's designee; (3) the Commissioner of Economic and Community Development, or the

commissioner's designee; (4) the chairperson of the Culture and Tourism Advisory Committee, or the chairperson's designee; (5) **[**the Commissioner of Construction Services, or the commissioner's designee; (6)**]** one member appointed by the speaker of the House of Representatives; **[**(7)**]** (6) one member appointed by the president pro tempore of the Senate; **[**(8)**]** (7) one member appointed by the majority leader of the House of Representatives; **[**(9)**]** (8) one member appointed by the majority leader of the Senate; **[**(10)**]** (9) one member appointed by the minority leader of the House of Representatives; **[**(11)**]** (10) one member appointed by the minority leader of the Senate; **[**(12)**]** (11) the chairperson of the Hartford Commission on the City Plan; **[**(13)**]** (12) one member appointed by the mayor of the city of Hartford; and **[**(14)**]** (13) one member from the South Downtown Neighborhood Revitalization Committee.

Sec. 212. Section 4b-76 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

In the event that a public or special act authorizes the state acquisition of real property or the construction, improvement, repair or renovation of any facility, the Commissioner of Administrative Services, in accordance with the provisions of this title, may acquire such real property and **[**the Commissioner of Construction Services may**]** provide design and construction services for any such construction, improvement, repair or renovation of such facility.

Sec. 213. Subsection (a) of section 4b-136 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) There is established a State-Wide Security Management Council. The council shall consist of the following members or their designees: The Commissioner of Emergency Services and Public Protection, the Commissioner of Administrative Services, the Commissioner of

Mental Health and Addiction Services, **[**the Commissioner of Construction Services,**]** the Secretary of the Office of Policy and Management, the Chief Court Administrator, the executive director of the Joint Committee on Legislative Management, a representative of the Governor, a representative of the State Employees Bargaining Agent Coalition, the president of the Connecticut State Police Union, the president of the Connecticut Police Chiefs Association and the president of the Uniformed Professional Fire Fighters Association. The Commissioner of Administrative Services shall serve as chairperson of the council. Each council member shall provide technical assistance in the member's area of expertise, as required by the council.

Sec. 214. Subsection (a) of section 4d-90 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) There is established a Geospatial Information Systems Council consisting of the following members, or their designees: (1) The Secretary of the Office of Policy and Management; (2) the Commissioners of Energy and Environmental Protection, Economic and Community Development, Transportation, Public Health, **[**Construction Services,**]** Administrative Services, Agriculture, Emergency Services and Public Protection and Social Services; (3) the president of the Board of Regents for Higher Education; (4) the president of The University of Connecticut; (5) one member who is a user of geospatial information systems appointed by the president pro tempore of the Senate representing a municipality with a population of more than sixty thousand; (6) one member who is a user of geospatial information systems appointed by the minority leader of the Senate representing a regional planning agency; (7) one member who is a user of geospatial information systems appointed by the Governor representing a municipality with a population of less than sixty thousand but more than thirty thousand; (8) one member who is a user

of geospatial information systems appointed by the speaker of the House of Representatives representing a municipality with a population of less than thirty thousand; (9) one member appointed by the minority leader of the House of Representatives who is a user of geospatial information systems; (10) the Adjutant General of the Military Department; and (11) any other persons the council deems necessary appointed by the council. The Governor shall select the chairperson from among the members. The chairperson shall administer the affairs of the council. Vacancies shall be filled by appointment by the authority making the appointment. Members shall receive no compensation for their services on said council, but shall be reimbursed for necessary expenses incurred in the performance of their duties. Said council shall hold one meeting each calendar quarter and such additional meetings as may be prescribed by council rules. In addition, special meetings may be called by the chairperson or by any three members upon delivery of forty-eight hours written notice to each member.

Sec. 215. Section 4e-8 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

There is established a Contracting Standards Advisory Council, which shall consist of representatives from the Office of Policy and Management, Departments of Administrative Services **[**,**]** and Transportation **[**and Construction Services**]** and representatives of at least three additional contracting agencies, including at least one human services related state agency, to be designated by the Governor. The Chief Procurement Officer shall be a member of the council and serve as chairperson. The advisory council shall meet at least four times per year to discuss state procurement issues and to make recommendations for improvement of the procurement processes to the State Contracting Standards Board. The advisory council may conduct studies, research and analyses and make reports and

recommendations with respect to subjects or matters within the jurisdiction of the State Contracting Standards Board.

Sec. 216. Subsection (a) of section 5-142 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) If any member of the Division of State Police within the Department of Emergency Services and Public Protection or of any correctional institution, or any institution or facility of the Department of Mental Health and Addiction Services giving care and treatment to persons afflicted with a mental disorder or disease, or any institution for the care and treatment of persons afflicted with any mental defect, or any full-time enforcement officer of the Department of Energy and Environmental Protection, the Department of Motor Vehicles, the Department of Consumer Protection who carries out the duties and responsibilities of sections 30-2 to 30-68m, inclusive, the Office of Adult Probation, the division within the Department of **[**Construction**]** Administrative Services that carries out construction services or the Board of Pardons and Paroles, any probation officer for juveniles or any employee of any juvenile detention home, any member of the police or fire security force of The University of Connecticut, any member of the police or fire security force of Bradley International Airport, any member of the Office of State Capitol Police or any person appointed under section 29-18 as a special policeman for the State Capitol building and grounds and the Legislative Office Building and parking garage and related structures and facilities and other areas under the supervision and control of the Joint Committee on Legislative Management, the Chief State's Attorney, the Chief Public Defender, the Deputy Chief State's Attorney, the Deputy Chief Public Defender, any state's attorney, any assistant state's attorney or deputy assistant state's attorney, any public defender, assistant public defender or deputy assistant public defender, any chief inspector or

inspector appointed under section 51-286 or any staff member or employee of the Division of Criminal Justice or of the Division of Public Defender Services, or any Judicial Department employee sustains any injury (1) while making an arrest or in the actual performance of such police duties or guard duties or fire duties or inspection duties, or prosecution or public defender or courthouse duties, or while attending or restraining an inmate of any such institution or as a result of being assaulted in the performance of such person's duty, or while responding to an emergency or code at a correctional institution, and (2) that is a direct result of the special hazards inherent in such duties, the state shall pay all necessary medical and hospital expenses resulting from such injury. If total incapacity results from such injury, such person shall be removed from the active payroll the first day of incapacity, exclusive of the day of injury, and placed on an inactive payroll. Such person shall continue to receive the full salary that such person was receiving at the time of injury subject to all salary benefits of active employees, including annual increments, and all salary adjustments, including salary deductions, required in the case of active employees, for a period of two hundred sixty weeks from the date of the beginning of such incapacity. Thereafter, such person shall be removed from the payroll and shall receive compensation at the rate of fifty per cent of the salary that such person was receiving at the expiration of said two hundred sixty weeks as long as such person remains so disabled, except that any such person who is a member of the Division of State Police within the Department of Emergency Services and Public Protection shall receive compensation at the rate of sixty-five per cent of such salary as long as such person remains so disabled. Such benefits shall be payable to a member of the Division of State Police after two hundred sixty weeks of disability only if the member elects in writing to receive such benefits in lieu of any benefits payable to the employee under the state employees retirement system. In the event that such disabled member of the Division of State Police elects the compensation provided under

this subsection, no benefits shall be payable under chapter 568 or the state employees retirement system until the former of the employee's death or recovery from such disability. The provisions of section 31-293 shall apply to any such payments, and the state of Connecticut is authorized to bring an action or join in an action as provided by said section for reimbursement of moneys paid and which it is obligated to pay under the terms of this subsection. All other provisions of the workers' compensation law not inconsistent with this subsection, including the specific indemnities and provisions for hearing and appeal, shall be available to any such state employee or the dependents of such a deceased employee. All payments of compensation made to a state employee under this subsection shall be charged to the appropriation provided for compensation awards to state employees. On and after October 1, 1991, any full-time officer of the Department of Energy and Environmental Protection, the Department of Motor Vehicles, the Department of Consumer Protection who carries out the duties and responsibilities of sections 30-2 to 30-68m, inclusive, the Office of Adult Probation, the division within the Department of **[**Construction**]** Administrative Services that carries out construction services or the Board of Pardons and Paroles, any probation officer for juveniles or any employee of any juvenile detention home, the Chief State's Attorney, the Chief Public Defender, the Deputy Chief State's Attorney, the Deputy Chief Public Defender, any state's attorney, assistant state's attorney or deputy assistant state's attorney, any public defender, assistant public defender or deputy assistant public defender, any chief inspector or inspector appointed under section 51-286 or any staff member or employee of the Division of Criminal Justice or the Division of Public Defender Services, or any Judicial Department employee who sustains any injury in the course and scope of such person's employment shall be paid compensation in accordance with the provisions of section 5-143 and chapter 568, except, if such injury is sustained as a result of being assaulted in the performance of such person's duty, any such person shall be

compensated pursuant to the provisions of this subsection.

Sec. 217. Section 10-264h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) For the fiscal year ending June 30, 2012, and each fiscal year thereafter, a local or regional board of education, regional educational service center, a cooperative arrangement pursuant to section 10-158a, or any of the following entities that operate an interdistrict magnet school that assists the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as determined by the Commissioner of Education: (1) The Board of Trustees of the Community-Technical Colleges on behalf of a regional community-technical college, (2) the Board of Trustees of the Connecticut State University System on behalf of a state university, (3) the Board of Trustees for The University of Connecticut on behalf of the university, (4) the board of governors for an independent college or university, as defined in section 10a-37, or the equivalent of such a board, on behalf of the independent college or university, and (5) any other third-party not-for-profit corporation approved by the Commissioner of Education, may be eligible for reimbursement, except as otherwise provided for, up to eighty per cent of the eligible cost of any capital expenditure for the purchase, construction, extension, replacement, leasing or major alteration of interdistrict magnet school facilities, including any expenditure for the purchase of equipment, in accordance with this section. To be eligible for reimbursement under this section a magnet school construction project shall meet the requirements for a school building project established in chapter 173, except that the Commissioner of **[**Construction**]** Administrative Services, in consultation with the Commissioner of Education, may waive any requirement in such chapter for good cause. On and after July 1, 2011, the Commissioner of **[**Construction**]** Administrative Services shall approve only applications for reimbursement under this

section that the Commissioner of Education finds will reduce racial, ethnic and economic isolation. Applications for reimbursement under this section for the construction of new interdistrict magnet schools shall not be accepted until the Commissioner of Education develops a comprehensive state-wide interdistrict magnet school plan, in accordance with the provisions of subdivision (1) of subsection (b) of section 10-264*l*, unless the Commissioner of Education determines that such construction will assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al.

(b) Subject to the provisions of subsection (a) of this section, the applicant shall receive current payments of scheduled estimated eligible project costs for the facility, provided (1) the applicant files an application for a school building project, in accordance with section 10-283, by the date prescribed by the Commissioner of Education, (2) final plans and specifications for the project are approved pursuant to sections 10-291 and 10-292, as amended by this act, and (3) such district submits to the Commissioner of Education, in such form as the commissioner prescribes, and the commissioner approves a plan for the operation of the facility which includes, but need not be limited to: A description of the educational programs to be offered, the completion date for the project, an estimated budget for the operation of the facility, written commitments for participation from the districts that will participate in the school and an analysis of the effect of the program on the reduction of racial, ethnic and economic isolation. The Commissioner of Education shall notify the Commissioner of **[**Construction**]** Administrative Services and the secretary of the State Bond Commission when the provisions of subdivisions (1) and (3) of this subsection have been met. Upon application to the Commissioner of Education, compliance with the provisions of subdivisions (1) and (3) of this subsection and after authorization by the General Assembly pursuant to section 10-283, the applicant shall be eligible to receive progress payments in accordance with the provisions of section 10-

287i.

(c) (1) If the school building ceases to be used as an interdistrict magnet school facility and the grant was provided for the purchase or construction of the facility, the Commissioner of **[**Construction**]** Administrative Services, in consultation with the Commissioner of Education, shall determine whether (A) title to the building and any legal interest in appurtenant land shall revert to the state, or (B) the school district shall reimburse the state an amount equal to the difference between the amount received pursuant to this section and the amount the district would have been eligible to receive based on the percentage determined pursuant to section 10-285a, multiplied by the estimated eligible project costs.

(2) If the school building ceases to be used as an interdistrict magnet school facility and the grant was provided for the extension or major alteration of the facility, the school district shall reimburse the state the amount determined in accordance with subparagraph (B) of subdivision (1) of this subsection. A school district receiving a request for reimbursement pursuant to this subdivision shall reimburse the state not later than the close of the fiscal year following the year in which the request is made. If the school district fails to so reimburse the state, the Department of **[**Construction**]** Administrative Services may request the Department of Education to withhold such amount from the total sum which is paid from the State Treasury to such school district or the town in which it is located or, in the case of a regional school district, the towns which comprise the school district. If the amount paid from the State Treasury is less than the amount due, the **[**Department of Construction Services may refer the matter to the**]** Department of Administrative Services **[**for collection**]** shall collect such amount from the school district.

(d) The Commissioner of **[**Construction**]** Administrative Services shall provide for a final audit of all project expenditures pursuant to

this section and may require repayment of any ineligible expenditures, except that the Commissioner of **[**Construction**]** Administrative Services may waive any audit deficiencies found during a final audit of all project expenditures pursuant to this section if the Commissioner of **[**Construction**]** Administrative Services determines that granting such waiver is in the best interest of the state.

Sec. 218. Subsection (a) of section 10-285b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) (1) Any incorporated or endowed high school or academy approved by the State Board of Education, pursuant to section 10-34, may apply and be eligible subsequently to be considered for school construction grant commitments from the state pursuant to this chapter.

(2) Applications pursuant to this subsection shall be filed at such time and on such forms as the Department of **[**Construction**]** Administrative Services prescribes. The Commissioners of Education and **[**Construction**]** Administrative Services shall approve such applications pursuant to the provisions of section 10-284.

(3) In the case of a school building project, as defined in subparagraph (A) of subdivision (3) of section 10-282, the amount of the grant approved by the Commissioner of **[**Construction**]** Administrative Services shall be computed pursuant to the provisions of section 10-286, and the eligible percentage shall be computed pursuant to the provisions of subsection (b) of this section. The calculation of the grant pursuant to this section shall be made in accordance with the state standard space specifications in effect at the time of final grant calculation.

Sec. 219. Section 10-292 of the general statutes is repealed and the

following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) Upon receipt by the Commissioner of **[**Construction**]** Administrative Services of the final plans for any phase of a school building project as provided in section 10-291, said commissioner shall promptly review such plans and check them to the extent appropriate for the phase of development or construction for which final plans have been submitted to determine whether they conform with the requirements of the Fire Safety Code, the Department of Public Health, the life-cycle cost analysis approved by the Commissioner of **[**Construction**]** Administrative Services, the State Building Code and the state and federal standards for design and construction of public buildings to meet the needs of disabled persons, and if acceptable a final written approval of such phase shall be sent to the town or regional board of education and the school building committee. No phase of a school building project, subject to the provisions of subsection (c) or (d) of this section, shall go out for bidding purposes prior to such written approval.

(b) Notwithstanding the provisions of subsection (a) of this section, a town or regional school district may submit final plans and specifications for oil tank replacement, roof replacement, asbestos abatement, code violation, energy conservation, network wiring projects or projects for which state assistance is not sought, to the local officials having jurisdiction over such matters for review and written approval. The total costs for an asbestos abatement, code violation, energy conservation, or network wiring project eligible for review and approval under this subsection shall not exceed one million dollars. Except for projects for which state assistance is not sought and projects for which the town or regional school district is using a state contract pursuant to subsection (d) of this section, no school building project described in this subsection shall go out for bidding purposes prior to the receipt and acceptance by the Department of **[**Construction**]**

Administrative Services of such written approval.

(c) On and after October 1, 1991, if the Commissioner of Construction Services does not complete his or her review pursuant to subsection (a) of this section, **[**within**]** not later than thirty days **[**from**]** after the date of receipt of final plans for a school building project, a town or regional school district may submit such final plans to local officials having jurisdiction over such matters for review and written approval. In such case, the school district shall notify the commissioner of such action and no such school building project shall go out for bidding purposes prior to the receipt by the commissioner of such written approval, except for projects for which the town or regional school district is using a state contract pursuant to subsection (d) of this section. Local building officials and fire marshals may engage the services of a code consultant for purposes of the review pursuant to this subsection, provided the cost of such consultant shall be paid by the school district.

(d) If the Department of Administrative Services **[**or the Department of Construction Services**]** makes a state contract available for use by towns or regional school districts, a town or regional school district may use such contract, provided the actual estimate for the school building project under the state contract is not given until receipt by the town or regional school district of approval of the plan pursuant to this section.

Sec. 220. Subsection (a) of section 10a-72 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) Subject to state-wide policy and guidelines established by the Board of Regents for Higher Education, said board of trustees shall administer the regional community-technical colleges and plan for the expansion and development of the institutions within its jurisdiction.

The Commissioner of Administrative Services on request of the board of trustees shall, in accordance with section 4b-30, negotiate and execute leases on such physical facilities as the board of trustees may deem necessary for proper operation of such institutions, and said board of trustees may expend capital funds therefor, if such leasing is required during the planning and construction phases of institutions within its jurisdiction for which such capital funds were authorized. The board of trustees may appoint and remove the chief executive officer of each institution within its jurisdiction. The board of trustees may employ the faculty and other personnel needed to operate and maintain the institutions within its jurisdiction. Within the limitation of appropriations, the board of trustees shall fix the compensation of such personnel, establish terms and conditions of employment and prescribe their duties and qualifications. Said board of trustees shall determine who constitutes its professional staff and establish compensation and classification schedules for its professional staff. Said board shall annually submit to the Commissioner of Administrative Services a list of the positions which it has included within the professional staff. The board shall establish a division of technical and technological education. The board of trustees shall confer such certificates and degrees as are appropriate to the curricula of community-technical colleges. The board of trustees shall prepare plans for the development of a regional community-technical college and submit the same to the **[**Commissioners**]** Commissioner of Administrative Services **[**and Construction Services**]** and request said **[**commissioners**]** commissioner to select the site for such college. Within the limits of the bonding authority therefor, the Commissioner of Administrative Services, subject to the provisions of section 4b-23, as amended by this act, may acquire such site and **[**the Commissioner of Construction Services may**]** construct such buildings as are consistent with the plan of development.

Sec. 221. Subsection (h) of section 16-50j of the general statutes is

repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(h) Prior to commencing any hearing pursuant to section 16-50m, the council shall consult with and solicit written comments from (1) the Department of Energy and Environmental Protection, the Department of Public Health, the Council on Environmental Quality, the Department of Agriculture, the Public Utilities Regulatory Authority, the Office of Policy and Management, the Department of Economic and Community Development and the Department of Transportation, and (2) in a hearing pursuant to section 16-50m, for a facility described in subdivision (3) of subsection (a) of section 16-50i, the Department of Emergency Services and Public Protection, the Department of Consumer Protection, the Department of **[**Public Works**]** Administrative Services and the Labor Department. In addition, the Department of Energy and Environmental Protection shall have the continuing responsibility to investigate and report to the council on all applications which prior to October 1, 1973, were within the jurisdiction of the Department of Environmental Protection with respect to the granting of a permit. Copies of such comments shall be made available to all parties prior to the commencement of the hearing. Subsequent to the commencement of the hearing, said departments and council may file additional written comments with the council within such period of time as the council designates. All such written comments shall be made part of the record provided by section 16-50o. Said departments and council shall not enter any contract or agreement with any party to the proceedings or hearings described in this section or section 16-50p, that requires said departments or council to withhold or retract comments, refrain from participating in or withdraw from said proceedings or hearings.

Sec. 222. Section 16-50jj of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

At least once during the period of construction of an electric generating facility in this state, the Connecticut Siting Council, the Departments of **[**Construction**]** Administrative Services, Emergency Services**,** **[**and**]** Public Protection **[**,**]** and Consumer Protection **[**and Public Works,**]** and the Labor Department shall conduct a meeting to discuss and develop proposed resolutions for any known or potential safety issue at such facility. The council and said departments shall submit any such proposed resolutions to the special inspector provided for such facility, as required pursuant to section 16-50ii.

Sec. 223. Subsection (b) of section 22a-354i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(b) In adopting such regulations, the commissioner shall consider the guidelines for aquifer protection areas recommended in the report prepared pursuant to special act 87-63, as amended, and shall avoid duplication and inconsistency with other state or federal laws and regulations affecting aquifers. The regulations shall be developed in consultation with an advisory committee appointed by the commissioner. The advisory committee shall include the Commissioners of **[**Construction**]** Administrative Services and Public Health, or their designees, members of the public, and representatives of businesses affected by the regulations, agriculture, environmental groups, municipal officers and water companies.

Sec. 224. Section 29-201 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

As used in this chapter, unless the context clearly indicates otherwise:

[(a)**]** (1) "Passenger tramway" means a device used to transport passengers in cars on tracks or suspended in the air, or uphill on skis,

by the use of steel cables, chains or belts or by ropes, and usually supported by trestles or towers with one or more spans, but shall not include any such device not available for public use and not subject to a fee for use of same. The term "passenger tramway" **[**shall include**]** includes the following: **[**(1)**]** (A) Two-car aerial passenger tramways, which are devices used to transport passengers in two open or enclosed cars attached to, and suspended from, a moving wire rope, or attached to a moving wire rope and supported on a standing wire rope, or similar devices; **[**(2)**]** (B) multicar aerial passenger tramways, which are devices used to transport passengers in several open or enclosed cars attached to, and suspended from, a moving wire rope, or attached to a moving wire rope and supported on a standing wire rope, or similar devices; **[**(3)**]** (C) skimobiles, which are devices in which a passenger car running on steel or wooden tracks is attached to and pulled by a steel cable, or similar devices; **[**(4)**]** (D) chair lifts, which are devices which carry passengers on chairs suspended in the air and attached to a moving cable, chain or link belt supported by trestles or towers with one or more spans, or similar devices; **[**(5)**]** (E) J bars, T bars, platter pulls and similar types of devices, which are means of transportation that pull skiers riding on skis by means of an attachment to a main overhead cable supported by trestles or towers with one or more spans; **[**(6)**]** and (F) rope tows, which are devices that pull the skiers riding on skis as the skier grasps the rope manually, or similar devices.

[(b)**]** (2) "Operator" means a person who owns or controls the operation of a passenger tramway or ski area. An operator of a passenger tramway shall be deemed not to be operating a common carrier.

[(c)**]** (3) "Department" means the Department of **[**Construction**]** Administrative Services.

[(d)**]** (4) "Commissioner" means the Commissioner of **[**Construction**]**

Administrative Services.

[(e)**]** (5) "Skier" **[**shall include**]** includes the following: **[**(1)**]** (A) A person utilizing the ski area under control of the operator for the purpose of skiing, whether or not he or she is utilizing a passenger tramway; **[**(2)**]** and (B) a person utilizing the passenger tramway whether or not **[**that**]** such person is a skier, including riders on a passenger tramway operating during the nonskiing season.

Sec. 225. Section 29-232 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The Commissioner of **[**Construction**]** Administrative Services shall **[**formulate**]** adopt regulations in accordance with the provisions of chapter 54 for the design, construction, installation, repair, use and operation of boilers in Connecticut. Such regulations shall conform as nearly as possible to the Boiler Code of the American Society of Mechanical Engineers, and the National Board Inspection Code, both as amended, and shall prescribe requirements as to the construction, installation, repair, use and inspection of boilers in the interest of public safety. The Commissioner of **[**Construction**]** Administrative Services shall hold hearings for the purpose of securing aid in the formulation of such regulations. Such hearings shall be public and representatives of all parties interested shall be given an opportunity to be heard.

(b) Any person may apply to the State Building Inspector to grant variations or exemptions from, or approve equivalent or alternate compliance with, standards incorporated in the regulations adopted under the provisions of subsection (a) of this section, and the State Building Inspector or a designee may approve such variations, exemptions, or equivalent or alternate compliance where strict compliance with such provisions would cause practical difficulty or unnecessary hardship.

(c) Any person aggrieved by any decision of the State Building Inspector or the State Building Inspector's designee pursuant to subsection (b) of this section may appeal to the Commissioner of **[**Construction**]** Administrative Services or said commissioner's designee not later than thirty days after receipt of the notice of such decision. Any person aggrieved by any ruling of said commissioner or designee may appeal therefrom to the Superior Court in accordance with section 4-183.

Sec. 226. Section 29-233 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The Department of Administrative Services **[**may call upon the Commissioner of Construction Services to assist in formulating**]** shall formulate the examination requirements and the examination questions for candidates for the positions of boiler inspectors within the Department of **[**Construction**]** Administrative Services. The Commissioner of **[**Construction**]** Administrative Services shall issue a commission as boiler inspector to any person employed as boiler inspector who has been in the Department of **[**Construction**]** Administrative Services after being appointed in accordance with the provisions of chapter 67 or certified as competent as a result of such examination.

Sec. 227. Section 29-312 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The Commissioner of **[**Construction**]** Administrative Services may appoint a Deputy State Fire Marshal who shall be subject to the supervision and direction of the Commissioner of **[**Construction**]** Administrative Services and be vested with all the powers conferred upon **[**said commissioner**]** the State Fire Marshal by section 29-310.

Sec. 228. Section 29-315a of the general statutes is repealed and the

following is substituted in lieu thereof (*Effective July 1, 2013*):

On or before July 1, 2005, each chronic and convalescent nursing home or rest home with nursing supervision licensed pursuant to chapter 368v shall submit a plan for employee fire safety training and education to the Departments of Public Health and **[**Construction**]** Administrative Services and the Labor Department. Such plan shall, at a minimum, comply with standards adopted by the federal Occupational Safety and Health Administration, including, but not limited to, standards listed in 29 CFR 1910.38, 1910.39 and 1910.157, as adopted pursuant to chapter 571, or 29 USC Section 651 et seq., as appropriate. The commissioners shall review each such plan and may make recommendations they deem necessary. Once approved or revised, such plan shall not be required to be resubmitted until further revised or there is a change of ownership of the nursing or rest home.

Sec. 229. Subsection (c) of section 31-57c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(c) The Commissioner of **[**Construction**]** Administrative Services may disqualify any contractor, for up to two years, from bidding on, applying for, or participating as a subcontractor under, contracts with the state, acting through any of its departments, commissions or other agencies, except the **[**Department of Administrative Services, the**]** Department of Transportation and the constituent units of the state system of higher education, for one or more causes set forth under subsection (d) of this section. The commissioner may initiate a disqualification proceeding only after consulting with the contract awarding agency, if any, and the Attorney General and shall provide notice and an opportunity for a hearing to the contractor who is the subject of the proceeding. The hearing shall be conducted in accordance with the contested case procedures set forth in chapter 54. The commissioner shall issue a written decision within ninety days of

the last date of such hearing and state in the decision the reasons for the action taken and, if the contractor is being disqualified, the period of such disqualification. The existence of a cause for disqualification shall not be the sole factor to be considered in determining whether the contractor shall be disqualified. In determining whether to disqualify a contractor, the commissioner shall consider the seriousness of the contractor's acts or omissions and any mitigating factors. The commissioner shall send the decision to the contractor by certified mail, return receipt requested. The written decision shall be a final decision for the purposes of sections 4-180 and 4-183.

Sec. 230. Section 31-390 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The Labor Commissioner and the Commissioners of Economic and Community Development and **[**Construction**]** Administrative Services shall have the right of inspection of any such project at any time.

(b) The Labor Commissioner and the Commissioners of Economic and Community Development and **[**Construction**]** Administrative Services and the Secretary of the Office of Policy and Management are authorized to make orders, establish guidelines and adopt regulations under the provisions of chapter 54 with respect to the implementation of this chapter.

(c) At the request of the commissioners, any agency or department of the executive branch shall advise and assist the commissioners in the implementation of this chapter.

Sec. 231. Subdivision (4) of subsection (a) of section 11-24b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(4) Except for the fiscal years ending June 30, 2010, to June 30, **[**2013**]**

2015, inclusive, the principal public library shall not have had the amount of its annual tax levy or appropriation reduced to an amount which is less than the average amount levied or appropriated for the library for the three fiscal years immediately preceding the year of the grant, except that if the expenditures of the library in any one year in such three-year period are unusually high as compared with expenditures in the other two years, the library may request an exception to this requirement and the board, upon review of the expenditures for that year, may grant an exception;

Sec. 232. Subdivision (2) of section 32-600 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(2) "Capital city project" means any or all of the following: (A) A convention center project as defined in subdivision (3) of this section; (B) a downtown higher education center; (C) **[**the renovation and rejuvenation of**]** the civic center and coliseum complex; (D) the development of the infrastructure and improvements to the riverfront; (E) (i) the creation of up to three thousand downtown housing units through rehabilitation and new construction, and (ii) the demolition or redevelopment of vacant buildings; (F) the addition to downtown parking capacity; (G) development and redevelopment; and (H) the promotion of and attraction to in-state professional and amateur sports and sporting events in consultation with the Sports Advisory Board established under section 10-425. All capital city projects shall be located or constructed and operated in the capital city economic development district, as defined in subdivision (7) of this section, provided any project undertaken pursuant to subparagraph (G) of this subdivision may be located anywhere in the town and city of Hartford, any project undertaken pursuant to subparagraph (D) or (E) (ii) of this subdivision may be located anywhere in the town and city of Hartford or town of East Hartford, and any project undertaken pursuant to

subparagraph (H) of this subdivision may be located anywhere in the state.

Sec. 233. Section 32-602 of the general statutes is amended by adding subsection (g) as follows (*Effective July 1, 2013*):

(NEW) (g) (1) No ordinance, law or regulation adopted by, or granting authority to, any municipality shall apply to the demolition, construction, repair, improvement, expansion or extension of the civic center and coliseum complex if undertaken by the state or a public instrumentality thereof, including the authority. Notwithstanding any provision of the general statutes, the State Building Inspector and the State Fire Marshal shall have original jurisdiction with respect to the civic center and coliseum complex, including, but not limited to, the conduct of necessary reviews and inspections, and the issuance of any building permit, certificate of occupancy or other necessary permits or certificates related to building construction, occupancy or fire safety.

(2) For purposes of state insurance or self-insurance, while owned, leased or operated by the authority, the civic center and coliseum complex shall be deemed to be state-owned property and the state insurance and risk management board shall be authorized to determine, purchase or otherwise arrange for such insurance or self-insurance with respect to the civic center and coliseum complex, as provided in section 4a-20 with respect to state-owned property.

(3) The authority shall be authorized to purchase utility services at and for the civic center and coliseum complex at rates otherwise available to the state with respect to state-owned facilities.

Sec. 234. Subsection (b) of section 2-35 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The state budget act passed by the legislature for funding the

expenses of operations of the state government in the ensuing biennium shall contain a statement of estimated revenue, based upon the most recent consensus revenue estimate or the revised consensus revenue estimate issued pursuant to section 2-36c, itemized by major source, for each appropriated fund. The statement of estimated revenue applicable to each such fund shall include, for any fiscal year, an estimate of total revenue with respect to such fund, which amount shall be reduced by (1) an estimate of total refunds of taxes to be paid from such revenue in accordance with the authorization in section 12-39f, and (2) an estimate of total refunds of payments to be paid from such revenue in accordance with the provisions of sections 3-70a and 4-37. Such statement of estimated revenue, including the estimated refunds of taxes to be offset against such revenue, shall be supplied by the joint standing committee of the General Assembly having cognizance of matters relating to state finance, revenue and bonding. The total estimated revenue for each fund, as adjusted in accordance with this section, shall not be less than the total net appropriations made from each fund plus, for the fiscal year ending June 30, 2014, and each fiscal year thereafter, the amount necessary to extinguish any **[**unreserved negative balance**]** unassigned negative balance in each fund as reported in the most recently audited comprehensive annual financial report issued by the Comptroller prior to the start of the fiscal year, reduced, in the case of the General Fund, by (A) the negative unassigned fund balance, as reported by the Comptroller for the fiscal year ending June 30, 2013, then unamortized pursuant to section 3-115b, and (B) any funds from other resources deposited in the General Fund for the purpose of reducing the negative unassigned balance of the fund. On or before July first of each fiscal year said committee shall, if any revisions in such estimates are required by virtue of legislative amendments to the revenue measures proposed by said committee, changes in conditions or receipt of new information since the original estimate was supplied, meet and revise such estimates and, through its cochairpersons, report to the Comptroller any such

revisions.

Sec. 235. Subsection (c) of section 3-115b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) The Comptroller shall establish an opening combined balance sheet for **[**all**]** each appropriated **[**funds**]** fund as of July 1, 2013, on the basis of generally accepted accounting principles. **[**The accrued and unpaid expenses and liabilities and other adjustments for the purposes of generally accepted accounting principles, as of June 30, 2013, shall be aggregated and set up as a deferred charge on the combined balance sheet. Such deferred charge**]** The accumulated deficit in the General Fund on June 30, 2013, as determined on the basis of generally accepted accounting principles and identified in the comprehensive annual financial report of the state as the unassigned negative balance of the General Fund on said date, reduced by any funds deposited in the General Fund from other resources for the purpose of reducing the negative unassigned balance of the fund, shall be amortized in equal increments in each fiscal year of each biennial budget, commencing with the fiscal year ending June 30, **[**2014**]** 2016, and for the succeeding **[**fourteen**]** twelve fiscal years. The Comptroller shall, to the extent necessary to report the fiscal position of the state in accordance with generally accepted accounting principles, reconcile the unassigned balance in the General Fund at the end of each fiscal year to the unassigned balance in the General Fund on June 30, 2013, the portion already amortized and any unassigned balance created after June 30, 2013.

Sec. 236. (*Effective from passage*) The Department of Energy and Environmental Protection and the Connecticut Resources Recovery Authority shall enter into a memorandum of understanding requiring the department to assume all legally required obligations resulting from the closure of the landfills located in Hartford, Ellington,

Waterbury, Wallingford and Shelton.

Sec. 237. Deleted.

Sec. 238. Subsection (a) of section 22a-449r of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) (1) Notwithstanding the provisions of sections 22a-449a to 22a-449i, inclusive, and any regulations adopted pursuant to section 22a-449e, any amount available for purposes of paying applicants under the underground storage tank clean-up program shall be distributed as follows: (A) One-quarter for payment or reimbursement to municipal applicants and other applicants; (B) one-quarter for payment or reimbursement to small station applicants; (C) one-quarter for payment or reimbursement to mid-size station applicants; and (D) one-quarter for payment or reimbursement to large station applicants. If at any time there is an amount remaining in one such category and if in such category there are no pending applications or applications for which payment or reimbursement has been ordered by the commissioner but has not been made, or if such category is for payment or reimbursement to mid-size station or large station applicants and the most recent reverse auction under subsection (c) of this section results in no payment to any such applicant or there is an amount remaining after taking into account all potential payments that could be made to any such applicants in said category, then such amount shall be redistributed for payment or reimbursement in the following order of priority: (i) First to municipal applicants and other applicants, (ii) if after redistribution pursuant to subclause (i) of this subdivision there is an amount remaining, then to small station applicants, (iii) if after redistribution pursuant to subclauses (i) and (ii) of this subdivision there is an amount remaining, then to mid-size station applicants, and (iv) if after redistribution pursuant to subclauses (i), (ii) and (iii) of this subdivision there is an amount

remaining, then to large station applicants.

(2) The commissioner shall determine whether an applicant is a municipal applicant, small, mid-size or large station applicant or other applicant. Such determination shall be based on the applicant's status at the time the commissioner received the applicant's first application for payment or reimbursement. In making such determination, the commissioner shall include all affiliates of an applicant and shall consider any underground storage tank system owned, operated, leased or used by an applicant on the property of another to be an interest in a parcel of real property. The commissioner shall make one such determination per applicant. Such determination shall apply to all applications submitted by such applicant before, on or after June 15, 2012, including, but not limited to, applications for which payment or reimbursement has been ordered by the commissioner but has not been made. In the case of assignees under subdivision (2) of subsection (a) of section 22a-449c, for assignments made prior to July 1, 2012, the commissioner shall determine the assignee to be an other applicant and for assignments made on or after July 1, 2012, the assignee shall assume the status of the assignor. Each applicant shall submit information regarding whether it is a municipal applicant, small, mid-size or large station applicant or other applicant to the commissioner, on a form prescribed by the commissioner, and shall provide any additional information the commissioner deems necessary to make such determination. The commissioner shall not order payment or reimbursement to an applicant until the commissioner makes the determination required under this subdivision for such applicant.

Sec. 239. Subsection (c) of section 32-35 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(c) **[**The chairperson of the board shall be the Commissioner of Economic and Community Development**]** The Governor shall appoint

a chairperson from among the board members. The directors shall annually elect one of their number as secretary. The board may elect such other officers of the board as it deems proper. Members shall receive no compensation for the performance of their duties hereunder but shall be reimbursed for necessary expenses incurred in the performance thereof.

Sec. 240. Section 51-47 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The judges of the Superior Court, judges of the Appellate Court and judges of the Supreme Court shall receive annually salaries as follows:

[(1) On and after April 1, 2002, (A) the Chief Justice of the Supreme Court, one hundred forty-nine thousand five hundred eighty-two dollars; (B) the Chief Court Administrator if a judge of the Supreme Court, Appellate Court or Superior Court, one hundred forty-three thousand seven hundred thirty-eight dollars; (C) each associate judge of the Supreme Court, one hundred thirty-eight thousand four hundred four dollars; (D) the Chief Judge of the Appellate Court, one hundred thirty-six thousand eight hundred seventy-three dollars; (E) each judge of the Appellate Court, one hundred twenty-nine thousand nine hundred eighty-eight dollars; (F) the Deputy Chief Court Administrator if a judge of the Superior Court, one hundred twenty-seven thousand six hundred seventeen dollars; (G) each judge of the Superior Court, one hundred twenty-five thousand dollars.

(2) On and after January 1, 2005, (A) the Chief Justice of the Supreme Court, one hundred fifty-seven thousand eight hundred nine dollars; (B) the Chief Court Administrator if a judge of the Supreme Court, Appellate Court or Superior Court, one hundred fifty-one thousand six hundred forty-four dollars; (C) each associate judge of the Supreme Court, one hundred forty-six thousand sixteen dollars;

(D) the Chief Judge of the Appellate Court, one hundred forty-four thousand four hundred one dollars; (E) each judge of the Appellate Court, one hundred thirty-seven thousand one hundred thirty-seven dollars; (F) the Deputy Chief Court Administrator if a judge of the Superior Court, one hundred thirty-four thousand six hundred thirty-six dollars; (G) each judge of the Superior Court, one hundred thirty-one thousand eight hundred seventy-five dollars.

(3) On and after January 1, 2006, (A) the Chief Justice of the Supreme Court, one hundred sixty-six thousand four hundred eighty-nine dollars; (B) the Chief Court Administrator if a judge of the Supreme Court, Appellate Court or Superior Court, one hundred fifty-nine thousand nine hundred eighty-four dollars; (C) each associate judge of the Supreme Court, one hundred fifty-four thousand forty-seven dollars; (D) the Chief Judge of the Appellate Court, one hundred fifty-two thousand three hundred forty-three dollars; (E) each judge of the Appellate Court, one hundred forty-four thousand six hundred eighty dollars; (F) the Deputy Chief Court Administrator if a judge of the Superior Court, one hundred forty-two thousand forty-one dollars; (G) each judge of the Superior Court, one hundred thirty-nine thousand one hundred twenty-eight dollars.

(4) On and after January 1, 2007, (A) the Chief Justice of the Supreme Court, one hundred seventy-five thousand six hundred forty-five dollars; (B) the Chief Court Administrator if a judge of the Supreme Court, Appellate Court or Superior Court, one hundred sixty-eight thousand seven hundred eighty-three dollars; (C) each associate judge of the Supreme Court, one hundred sixty-two thousand five hundred twenty dollars; (D) the Chief Judge of the Appellate Court, one hundred sixty thousand seven hundred twenty-two dollars; (E) each judge of the Appellate Court, one hundred fifty-two thousand six hundred thirty-seven dollars; (F) the Deputy Chief Court Administrator if a judge of the Superior Court, one hundred forty-nine

thousand eight hundred fifty-three dollars; (G) each judge of the Superior Court, one hundred forty-six thousand seven hundred eighty dollars.**]**

(1) On and after July 1, 2013, (A) the Chief Justice of the Supreme Court, one hundred eighty-four thousand nine hundred fifty-four dollars; (B) the Chief Court Administrator if a judge of the Supreme Court, Appellate Court or Superior Court, one hundred seventy-seven thousand seven hundred twenty-eight dollars; (C) each associate judge of the Supreme Court, one hundred seventy-one thousand one-hundred thirty-four dollars; (D) the Chief Judge of the Appellate Court, one hundred sixty-nine thousand two-hundred forty dollars; (E) each judge of the Appellate Court, one hundred sixty thousand seven hundred twenty-seven dollars; (F) the Deputy Chief Court Administrator if a judge of the Superior Court, one hundred fifty-seven thousand seven hundred ninety-five dollars; (G) each judge of the Superior Court, one hundred fifty-four thousand five hundred fifty-nine dollars.

(2) On and after July 1, 2014, (A) the Chief Justice of the Supreme Court, one hundred ninety-four thousand seven hundred fifty-seven dollars; (B) the Chief Court Administrator if a judge of the Supreme Court, Appellate Court or Superior Court, one hundred eighty-seven thousand one hundred forty-eight dollars; (C) each associate judge of the Supreme Court, one hundred eighty thousand two hundred four dollars; (D) the Chief Judge of the Appellate Court, one hundred seventy-eight thousand two hundred ten dollars; (E) each judge of the Appellate Court, one hundred sixty-nine thousand two hundred forty-five dollars; (F) the Deputy Chief Court Administrator if a judge of the Superior Court, one hundred sixty-six thousand one hundred fifty-eight dollars; (G) each judge of the Superior Court, one hundred sixty-two thousand seven hundred fifty-one dollars.

(b) **[**In addition to the salary such judge is entitled to receive under

subsection (a) of this section, a judge designated as the administrative judge of the appellate system shall receive one thousand dollars in annual salary, each Superior Court judge designated as the administrative judge of a judicial district shall receive one thousand dollars in annual salary and each Superior Court judge designated as the chief administrative judge for facilities, administrative appeals, judicial marshal service or judge trial referees or for the Family, Juvenile, Criminal or Civil Division of the Superior Court shall receive one thousand dollars in annual salary.**]**

(1) In addition to the salary such judge is entitled to receive under subsection (a) of this section, on and after July 1, 2013, a judge designated as the administrative judge of the appellate system shall receive one thousand fifty-three dollars in annual salary, each Superior Court judge designated as the administrative judge of a judicial district shall receive one thousand fifty-three dollars in annual salary and each Superior Court judge designated as the chief administrative judge for facilities, administrative appeals, judicial marshal service or judge trial referees or for the Family, Juvenile, Criminal or Civil Division of the Superior Court shall receive one thousand fifty-three dollars in annual salary.

(2) In addition to the salary such judge is entitled to receive under subsection (a) of this section, on and after July 1, 2014, a judge designated as the administrative judge of the appellate system shall receive one thousand one hundred nine dollars in annual salary, each Superior Court judge designated as the administrative judge of a judicial district shall receive one thousand one-hundred nine in annual salary and each Superior Court judge designated as the chief administrative judge for facilities, administrative appeals, judicial marshal service or judge trial referees or for the Family, Juvenile, Criminal or Civil Division of the Superior Court shall receive one thousand one-hundred nine dollars in annual salary.

(c) Each such judge shall be an elector and a resident of this state, shall be a member of the bar of the state of Connecticut and shall not engage in private practice, nor on or after July 1, 1985, be a member of any board of directors or of any advisory board of any state bank and trust company, state bank or savings and loan association, national banking association or federal savings bank or savings and loan association. Nothing in this subsection shall preclude a senior judge from participating in any alternative dispute resolution program approved by STA-FED ADR, Inc.

(d) Each such judge, excluding any senior judge, who has completed not less than ten years of service as a judge of either the Supreme Court, the Appellate Court, or the Superior Court, or of any combination of such courts, or of the Court of Common Pleas, the Juvenile Court or the Circuit Court, or other state service or service as an elected officer of the state, or any combination of such service, shall receive semiannual longevity payments based on service as a judge of any or all of such six courts, or other state service or service as an elected officer of the state, or any combination of such service, completed as of the first day of July and the first day of January of each year, as follows:

(1) A judge who has completed ten or more years but less than fifteen years of service shall receive one-quarter of three per cent of the annual salary payable under subsection (a) of this section.

(2) A judge who has completed fifteen or more years but less than twenty years of service shall receive one-half of three per cent of the annual salary payable under subsection (a) of this section.

(3) A judge who has completed twenty or more years but less than twenty-five years of service shall receive three-quarters of three per cent of the annual salary payable under subsection (a) of this section.

(4) A judge who has completed twenty-five or more years of service shall receive three per cent of the annual salary payable under subsection (a) of this section.

Sec. 241. Subsection (h) of section 46b-231 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(h) **[**(1) On and after April 1, 2002, the Chief Family Support Magistrate shall receive a salary of one hundred eight thousand eight hundred twenty-one dollars, and other family support magistrates shall receive an annual salary of one hundred three thousand five hundred sixty-nine dollars.

(2) On and after January 1, 2005, the Chief Family Support Magistrate shall receive a salary of one hundred fourteen thousand eight hundred six dollars, and other family support magistrates shall receive an annual salary of one hundred nine thousand two hundred sixty-five dollars.

(3) On and after January 1, 2006, the Chief Family Support Magistrate shall receive a salary of one hundred twenty-one thousand one hundred twenty dollars, and other family support magistrates shall receive an annual salary of one hundred fifteen thousand two hundred seventy-five dollars.

(4) On and after January 1, 2007, the Chief Family Support Magistrate shall receive a salary of one hundred twenty-seven thousand seven hundred eighty-two dollars, and other family support magistrates shall receive an annual salary of one hundred twenty-one thousand six hundred fifteen dollars.**]**

(1) On and after July 1, 2013, the Chief Family Support Magistrate shall receive a salary of one hundred thirty-four thousand five hundred fifty-four dollars, and other family support magistrates shall

receive an annual salary of one hundred twenty-eight thousand sixty-one dollars.

(2) On and after July 1, 2014, the Chief Family Support Magistrate shall receive a salary of one hundred forty-one thousand six hundred eighty-six dollars, and other family support magistrates shall receive an annual salary of one hundred thirty-four thousand eight hundred forty-eight dollars.

Sec. 242. Subsection (b) of section 46b-236 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(b) **[**Each**]** (1) On and after July 1, 2013, each family support referee shall receive, for acting as a family support referee, in addition to the retirement salary, the sum of **[**one hundred ninety**]** two hundred dollars and expenses, including mileage, for each day a family support referee is so engaged.

(2) On and after July 1, 2014, each family support referee shall receive, for acting as a family support referee, in addition to the retirement salary, the sum of two hundred eleven dollars and expenses, including mileage, for each day a family support referee is so engaged.

Sec. 243. Subsection (f) of section 52-434 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(f) Each judge trial referee shall receive, for acting as a referee or as a single auditor or committee of any court or for performing duties assigned by the Chief Court Administrator with the approval of the Chief Justice, for each day the judge trial referee is so engaged, in addition to the retirement salary: (1) (A) On and after **[**January 1, 2006, and before January 1, 2007**]** July 1, 2013, the sum of two hundred

[fifteen**]** thirty-two dollars, and (B) on and after **[**January 1, 2007**]** July 1, 2014, the sum of two hundred **[**twenty**]** forty-four dollars; and (2) expenses, including mileage. Such amounts shall be taxed by the court making the reference in the same manner as other court expenses.

Sec. 244. (NEW) (*Effective July 1, 2013*) (a) There is established a Connecticut Arts Council within the Department of Economic and Community Development to foster and support the arts. The council shall consist of thirteen members as follows:

(1) Five appointed by the Governor for a term of four years, one of whom shall be the head of a state-wide arts organization;

(2) One appointed by the speaker of the House of Representatives for a term of three years;

(3) One appointed by the president pro tempore of the Senate for a term of three years;

(4) One appointed by the majority leader of the House of Representatives for a term of three years;

(5) One appointed by the majority leader of the Senate for a term of three years;

(6) One appointed by the minority leader of the House of Representatives for a term of three years;

(7) One appointed by the minority leader of the Senate for a term of three years;

(8) The Commissioner of Economic and Community Development, who shall be an ex-officio, voting member; and

(9) An employee of the Department of Economic and Community Development responsible for arts and culture, who shall be designated

by the Commissioner of Economic and Community Development and be an ex-officio, nonvoting member.

All initial appointments to the council pursuant to this subsection shall be made not later than October 1, 2013. No member shall serve for more than two consecutive full terms. The Governor shall biennially designate one member of the council to serve as the chairperson of the council. Any appointed member who fails to attend three consecutive meetings of the board or who fails to attend fifty per cent of all meetings of the council held during any calendar year shall be deemed to have resigned from the council. Any vacancy occurring on the council shall be filled by the appointing authority for the balance of the unexpired term. Any member appointed by the Governor may be removed as provided by section 4-12 of the general statutes.

(b) The chairperson shall call the first meeting of the council not later than October 31, 2013. The council shall meet not less than quarterly thereafter and at such other times as the chairperson deems necessary.

(c) Seven voting members of the council shall constitute a quorum for the transaction of any business or the exercise of any power of the council. For the transaction of any business or the exercise of any power of the council, and except as otherwise provided in this section, the council may act by a majority of the members present at any meeting at which a quorum is in attendance.

(d) No member of the council shall receive compensation for such member's services, except that each member shall be entitled to reimbursement for actual and necessary expenses incurred during the performance of such member's official duties.

Sec. 245. (NEW) (*Effective July 1, 2013*) (a) In accordance with subdivision (4) of section 10-400 of the general statutes, the

Connecticut Arts Council is authorized to establish and manage a nonprofit foundation, the Connecticut Arts Council Foundation and shall serve as the board of directors of such foundation.

(b) The Connecticut Arts Council Foundation established pursuant to subsection (a) of this section may, subject to the direction, regulation and authorization or ratification by the board of directors:

(1) Receive, solicit, contract for and collect, and hold in separate custody for purposes herein expressed or implied, endowments, donations, compensation and reimbursement, in the form of money paid or promised, services, materials, equipment or any other things tangible or intangible that may be acceptable to the foundation;

(2) Disburse funds acquired by the foundation from any source, for (A) purposes of fostering the creation, preservation and expansion of the arts in the state, (B) the dissemination of information related to such activities, and (C) other purposes approved by the board and consistent with sections 10-400 to 10-402, inclusive, of the general statutes;

(3) Apply for and receive assistance from any source, including grants of money and services from national and state bodies and foundations, provided the foundation shall cooperate with and make efforts to avoid competing directly with other arts organizations in the state when applying for such assistance; and

(4) Execute contracts for the purpose of carrying out the provisions of sections 10-400 to 10-402, inclusive, of the general statutes.

(c) The Connecticut Arts Council Foundation shall comply with the requirements of section 4-37f of the general statutes. All property and rights of every character, tangible and intangible, placed in the custody of the foundation in accordance with said section shall be held by the foundation in trust for the uses specified herein and in section 10-400

of the general statutes. The entire beneficial ownership thereof shall vest in the Department of Economic and Community Development and the board of directors shall exercise complete control thereof.

Sec. 246. Section 10-405 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

For purposes of this section and sections 10-406 to 10-408, inclusive:

(1) "Arts organization" means a nonprofit organization in the state which is exempt from taxation pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986, as from time to time amended, the primary purpose of which is to create, perform, present or otherwise promote the visual, performing or literary arts in the state, but shall not mean an organization, the primary purpose of which is instructional, or an organization, the primary purpose of which is to receive contributions for and provide funding to arts organizations;

(2) "Department" means the Department of Economic and Community Development;

(3) "Connecticut Arts Council" means the council established pursuant to section 244 of this act;

[(3)**]** (4) "Contribution" means cash, negotiable securities or other gifts of similar liquidity;

[(4)**]** (5) "Donor" means a private organization, the primary purpose of which is to receive contributions for and provide funding to arts organizations, a private foundation or private corporation, partnership, single proprietorship or association or person making a contribution to an arts organization;

[(5)**]** (6) "Fiscal year" means a period of twelve calendar months as determined by the arts organization's bylaws.

Sec. 247. Section 10-406 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

There is created a "Connecticut Arts Endowment Fund". The proceeds of any bonds issued for the purposes of sections 10-405 to 10-408, inclusive, as amended by this act, shall be deposited in said fund. The State Treasurer shall invest the proceeds of the fund and the investment earnings shall be credited to and become part of the fund. Annually, on or before September first, the Treasurer shall notify the department and the Connecticut Arts Council of the total amount of investment earnings of the fund for the prior fiscal year and such amount shall be available to the department for payments pursuant to sections 10-407 and 10-408. Any balance remaining in the fund at the end of each fiscal year shall be carried forward in the fund for the succeeding fiscal year.

Sec. 248. Section 10-408 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Annually, on or before December fifteenth, an arts organization may apply to the department for a state matching grant, provided the organization includes in its application a copy of its Internal Revenue Service return of organization exempt from income tax form, or any replacement form adopted by the Internal Revenue Service, showing the total amount of contributions received from donors for the arts organization's two most recently completed fiscal years. On or before the January fifteenth next following, the Connecticut Arts Council shall notify the department **[**shall certify to the Treasurer**]** of an amount equal to the total matching grants as calculated pursuant to section 10-407 and the department shall certify such amount to the Treasurer. Thereafter, the Treasurer shall make available such amount to the department and the department shall, on or before April fifteenth, pay to each arts organization a grant as calculated pursuant to said section 10-407.

Sec. 249. Section 16a-4c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) On or before January 1, 2014, and at least every twenty years thereafter, the Secretary of the Office of Policy and Management, within available appropriations, and in consultation with regional planning organizations, as defined in section 4-124i, as amended by this act, the Connecticut Conference of Municipalities, the Connecticut Council of Small Towns, the Commissioner of Transportation and the chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to planning and development, shall conduct an analysis of the boundaries of logical planning regions designated or redesignated under section 16a-4a, as amended by this act. As part of such analysis, the secretary shall evaluate opportunities for coordinated planning and the regional delivery of state and local services. Such analysis shall include, but not be limited to, an evaluation of (1) economic regions, including regional economic development districts established pursuant to chapter 588ff; (2) comprehensive economic development strategies developed by such regional economic development districts; (3) labor market areas and workforce investment regions; (4) natural boundaries, including watersheds, coastlines, ecosystems and habitats; (5) relationships between urban, suburban and rural areas, including central cities and areas outside of the state; (6) census and other demographic information, including areas in the state designated by the United States Census Bureau as urbanized areas and urbanized clusters; (7) political boundaries, including municipal boundaries and congressional, senate and assembly districts; (8) transportation corridors, connectivity and boundaries, including the boundaries of metropolitan planning agencies; (9) current federal, state and municipal service delivery regions, including, but not limited to, regions established to provide emergency, health, transportation or human services; and (10) the current capacity of each regional

planning organization to deliver diverse state and local services and to comply with the requirements of any relevant federal transportation authorizing acts. Such analysis shall also establish a minimum size for logical planning areas that takes into consideration the number of municipalities, total population, total square mileage and whether **[**the**]** a proposed planning region will have the capacity to successfully deliver **[**necessary regional services**]** sophisticated planning activities and regional services. Such analysis shall consider designating rural regions in areas of the state that do not have urbanized areas. The secretary may enter into such contractual agreements as may be necessary to carry out the purposes of this subsection. On or before October 1, 2013, said secretary shall submit a report, in accordance with section 11-4a, to the joint standing committee of the General Assembly having cognizance of matters concerning planning and development. Such report shall provide the status of the analysis required pursuant to this subsection.

(b) Any two or more contiguous planning regions that contain a total of fourteen or more municipalities and voluntarily consolidate to form a single **[**regional council of governments or regional council of elected officials**]** planning region shall be exempt from redesignation pursuant to subsection (a) of this section, provided the Secretary of the Office of Policy and Management formally redesignates such planning regions prior to January 1, 2014. The secretary may, in his or her discretion, waive the requirement that such redesignated planning region contain a total of fourteen or more municipalities.

(c) (1) The secretary shall, not later than January 1, 2014, notify the chief executive officer of each municipality located in a planning region in which the boundaries are proposed for redesignation. If the legislative body of the municipality objects to such proposed redesignation, the chief executive officer of the municipality may, not later than thirty days after the date of receipt of the notice of

redesignation, petition the secretary to attend a meeting of such legislative body. The petition shall specify the location, date and time of the meeting. The meeting shall be held not later than sixty days after the date of the petition. The secretary shall make a reasonable attempt to appear at the meeting, or at a meeting on another date within the sixty-day period. If the secretary is unable to attend a meeting within the sixty-day period, the secretary and the chief executive officer of the municipality shall jointly schedule a date and time for the meeting, provided such meeting shall be held not later than two hundred ten days after the date of the notice to the chief executive officer. At such meeting, the legislative body of the municipality shall inform the secretary of the objections to the proposed redesignation of the planning area boundaries. The secretary shall consider fully the oral and written objections of the legislative body and may redesignate the boundaries. Not later than sixty days after the date of the meeting, the secretary shall notify the chief executive officer of the determination concerning the proposed redesignation. The notice of determination shall include the reasons for such determination. As used in this subsection, "municipality" means a town, city or consolidated town and borough; "legislative body" means the board of selectmen, town council, city council, board of alderman, board of directors, board of representatives or board of the warden and burgesses of a municipality; and "secretary" means the Secretary of the Office of Policy and Management or the designee of the secretary.

(2) Any revision to the boundaries of a planning area, based on the analysis completed pursuant to subsection (a) of this section or due to a modification by the secretary in accordance with this subsection, shall be effective on January 1, 2015.

Sec. 250. (NEW) (*Effective from passage*) (a) On or before January 1, 2015, each regional planning agency created pursuant to sections 8-31a to 8-37a, inclusive, of the general statutes, revision of 1958, revised to

January 1, 2013, and each regional council of elected officials created pursuant to sections 4-124c to 4-124h, inclusive, of the general statutes, shall be restructured to form a regional council of governments as provided in section 4-124j of the general statutes, as amended by this act.

(b) A regional council of governments may accept or participate in any grant, donation or program available to any political subdivision of the state and may also accept or participate in any grant, donation or program made available to counties by any other governmental or private entity. Notwithstanding the provisions of any special or public act, any political subdivision of the state may enter into an agreement with a regional council of governments to perform jointly or to provide, alone or in cooperation with any other entity, any service, activity or undertaking that the political subdivision is authorized by law to perform. A regional council of governments established pursuant to this section may administer and provide regional services to municipalities and may delegate such authority to subregional groups of such municipalities. Regional services provided to member municipalities shall be determined by each regional council of governments and may include, without limitation, the following services: (1) Engineering; (2) inspectional and planning; (3) economic development; (4) public safety; (5) emergency management; (6) animal control; (7) land use management; (8) tourism promotion; (9) social; (10) health; (11) education; (12) data management; (13) regional sewerage; (14) housing; (15) computerized mapping; (16) household hazardous waste collection; (17) recycling; (18) public facility siting; (19) coordination of master planning; (20) vocational training and development; (21) solid waste disposal; (22) fire protection; (23) regional resource protection; (24) regional impact studies; and (25) transportation.

(c) On January 1, 2014, and annually thereafter, each regional

planning agency, regional council of elected officials and regional council of governments, shall submit a report to the Secretary of the Office of Policy and Management and to the joint standing committee of the General Assembly having cognizance of matters relating to municipalities. Such report shall include the following: (1) A description of any regional program, project or initiative provided or planned by such regional council of governments; (2) a description of any expenditure, including the source of funding, spent on each such regional program, project or initiative and a cost-benefit analysis for such expenditure; (3) a list of existing services provided by a municipality or by the state that, in the opinion of the regional council of governments, could be transferred to such regional council of governments and any efficiency associated with such transfer; (4) a discussion and review of the performance of any regional program, project or initiative, including any recommendations for legislative action; and (5) specific annual goals and objectives and quantifiable outcome measures for each program, project or initiative administered or provided by such regional council of governments.

Sec. 251. Section 4-66k of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There is established an account to be known as the "regional **[**performance**]** planning incentive account" which shall be a separate, nonlapsing account within the General Fund. The account shall contain any moneys required by law to be deposited in the account. Moneys in the account shall be expended by the Secretary of the Office of Policy and Management in accordance with subsection (b) of this section for the purposes of **[**(1)**]** first providing funding to regional planning organizations in accordance with the provisions of subsections (b) and (c) of this section and then to providing grants under the regional performance incentive program established pursuant to section 4-124s, as amended by this act. **[**and (2) providing

funding to the Voluntary Regional Consolidation Bonus Pool established pursuant to subsection (b) of section 4-124q.**]**

(b) For the fiscal year ending June 30, 2014, funds from the regional planning incentive account shall be distributed to each regional planning organization, as defined in section 4-124i, revision of 1958, revised to January 1, 2013, in the amount of one hundred twenty-five thousand dollars. Any regional council of governments that is comprised of any two or more regional planning organizations that voluntarily consolidate on or before December 31, 2013, shall receive an additional payment in an amount equal to the amount the regional planning organizations would have received if such regional planning organizations had not voluntarily consolidated.

(c) Beginning in the fiscal year ending June 30, 2015, and annually thereafter, funds from the regional planning incentive account shall be distributed to each regional council of governments formed pursuant to section 4-124j, as amended by this act, in the amount of one hundred twenty-five thousand dollars plus fifty cents per capita, using population information from the most recent federal decennial census. Any regional council of governments that is comprised of any two or more regional planning organizations, as defined in section 4-124i, revision of 1958, revised to January 1, 2013, that voluntarily consolidated on or before December 31, 2013, shall receive a payment in the amount of one hundred twenty-five thousand dollars for each such regional planning organization that voluntarily consolidated on or before said date.

Sec. 252. Subsection (a) of section 2-79a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(a) There shall be a Connecticut Advisory Commission on Intergovernmental Relations. The purpose of the commission shall be

to enhance coordination and cooperation between the state and local governments. The commission shall consist of the president pro tempore of the Senate, the speaker of the House of Representatives, the minority leader of the Senate, the minority leader of the House of Representatives, the Secretary of the Office of Policy and Management, the Commissioners of Education, Environmental Protection, Economic and Community Development, or their designees, and sixteen additional members as follows: (1) Six municipal officials appointed by the Governor, four of whom shall be selected from a list of nominees submitted to him by the Connecticut Conference of Municipalities and two of whom shall be selected from a list submitted by the Council of Small Towns. Two of such six officials shall be from towns having populations of twenty thousand or less persons, two shall be from towns having populations of more than twenty thousand but less than sixty thousand persons and two shall be from towns having populations of sixty thousand or more persons; (2) two local public education officials appointed by the Governor, one of whom shall be selected from a list of nominees submitted to him by the Connecticut Association of Boards of Education and one of whom shall be selected from a list submitted by the Connecticut Association of School Administrators; (3) one representative of a regional council of governments **[**or a regional planning agency**]** appointed by the Governor from a list of nominees submitted to him by the Regional Planning Association of Connecticut; (4) five persons who do not hold elected or appointed office in state or local government, one of whom shall be appointed by the Governor, one of whom shall be appointed by the president pro tempore of the Senate, one of whom shall be appointed by the speaker of the House of Representatives, one of whom shall be appointed by the minority leader of the Senate and one of whom shall be appointed by the minority leader of the House of Representatives; (5) one representative of the Connecticut Conference of Municipalities appointed by said conference; and (6) one representative of the Council of Small Towns appointed by said

council. Each member of the commission appointed pursuant to subdivisions (1) to (6), inclusive, of this subsection shall serve for a term of two years. All other members shall serve for terms which are coterminous with their terms of office. The Governor shall appoint a chairperson and a vice-chairperson from among the commission members. Members of the General Assembly may serve as gubernatorial appointees to the commission. Members of the commission shall not be compensated for their services but shall be reimbursed for necessary expenses incurred in the performance of their duties.

Sec. 253. Section 4-124s of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) For purposes of this section:

(1) "Regional council of governments" means any such council organized under the provisions of sections 4-124i to 4-124p, inclusive;

(2) "Regional council of elected officials" means any such council organized under the provisions of sections 4-124c to 4-124h, inclusive;

(3) "Regional planning agency" means an agency defined in chapter 127;

(4) "Municipality" means a town, city or consolidated town and borough;

(5) "Legislative body" means the board of selectmen, town council, city council, board of alderman, board of directors, board of representatives or board of the mayor and burgesses of a municipality; and

(6) "Secretary" means the Secretary of the Office of Policy and Management or the designee of the secretary.

(b) There is established a regional performance incentive program that shall be administered by the Secretary of the Office of Policy and Management. **[**On or before December 1, 2011, any regional planning agency, any regional council of elected officials, any regional council of governments, any two or more municipalities, any economic development district or any combination thereof, may submit to said secretary a proposal for joint provision of a service or services that are currently provided by municipalities within the region of such agency or council or contiguous thereto, but not currently provided on a regional basis.**]** On or before December 31, 2011, and annually thereafter, any **[**such entity**]** regional planning agency, any regional council of elected officials, any regional council of governments, any two or more municipalities acting through a regional planning agency, regional council of elected officials or regional council of governments, any economic development district or any combination thereof may submit a proposal to the secretary for: (1) The joint provision of any service that one or more participating municipalities of such council or agency currently provide but which is not provided on a regional basis, **[**or**]** (2) a planning study regarding the joint provision of any service on a regional basis, or (3) shared information technology services. A copy of said proposal shall be sent to the legislators representing said participating municipalities.

(c) (1) An entity specified in subsection (a) of this section shall submit each proposal in the form and manner the secretary prescribes and shall, at a minimum, provide the following information for each proposal: (A) Service description; (B) the explanation of the need for such service; (C) the method of delivering such service on a regional basis; (D) the organization that would be responsible for regional service delivery; (E) a description of the population that would be served; (F) the manner in which regional service delivery will achieve economies of scale; (G) the amount by which participating municipalities will reduce their mill rates as a result of savings

realized; (H) a cost benefit analysis for the provision of the service by each participating municipality and by the entity submitting the proposal; (I) a plan of implementation for delivery of the service on a regional basis; (J) a resolution endorsing such proposal approved by the legislative body of each participating municipality; and (K) an explanation of the potential legal obstacles, if any, to the regional provision of the service.

(2) The secretary shall review each proposal and shall award grants for proposals the secretary determines best meet the requirements of this section. In awarding such grants, the secretary shall give priority to a proposal submitted by (A) any entity specified in subsection (a) of this section that includes participation of all of the member municipalities of such entity, and which may increase the purchasing power of participating municipalities or provide a cost savings initiative resulting in a decrease in expenses of such municipalities, allowing such municipalities to lower property taxes, and (B) any economic development district.

(d) On or before December 31, 2013, and annually thereafter, in addition to any proposal submitted pursuant to this section, any municipality or regional council of governments may apply to the secretary for a grant to fund: (1) Operating costs associated with connecting to the state-wide high speed, flexible network developed pursuant to section 4d-80, as amended by this act; and (2) capital cost associated with connecting to such network, including expenses associated with building out the internal fiber network connections required to connect to such network, provided the secretary shall make any such grant available in accordance with the two-year schedule by which the Bureau of Enterprise Systems and Technology recommends connecting each municipality and regional council of governments to such network. Any municipality or regional council of governments shall submit each application in the form and manner the secretary

prescribes.

[(d)**]** (e) The secretary shall submit to the Governor and the joint standing committee of the General Assembly having cognizance of matters relating to finance, revenue and bonding a report on the grants provided pursuant to this section. Each such report shall include information on the amount of each grant, and the potential of each grant for leveraging other public and private investments. The secretary shall submit a report for the fiscal year commencing July 1, 2011, not later than February 1, 2012, and shall submit a report for each subsequent fiscal year not later than the first day of March in such fiscal year. Such reports shall include the property tax reductions achieved by means of the program established pursuant to this section.

Sec. 254. Section 4-124s of the general statutes, as amended by section 253 of this act, is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(a) For purposes of this section:

(1) "Regional council of governments" means any such council organized under the provisions of sections 4-124i to 4-124p, inclusive;

[(2) "Regional council of elected officials" means any such council organized under the provisions of sections 4-124c to 4-124h, inclusive;

(3) "Regional planning agency" means an agency defined in chapter 127;**]**

[(4)**]** (2) "Municipality" means a town, city or consolidated town and borough;

[(5)**]** (3) "Legislative body" means the board of selectmen, town council, city council, board of alderman, board of directors, board of representatives or board of the mayor and burgesses of a municipality;

and

[(6)**]** (4) "Secretary" means the Secretary of the Office of Policy and Management or the designee of the secretary.

(b) There is established a regional performance incentive program that shall be administered by the Secretary of the Office of Policy and Management. On or before December 31, 2011, and annually thereafter, any **[**regional planning agency, any regional council of elected officials, any**]** regional council of governments, any two or more municipalities acting through a **[**regional planning agency, regional council of elected officials or**]** regional council of governments, any economic development district or any combination thereof may submit a proposal to the secretary for: (1) The joint provision of any service that one or more participating municipalities of such council or agency currently provide but which is not provided on a regional basis, (2) a planning study regarding the joint provision of any service on a regional basis, or (3) shared information technology services. A copy of said proposal shall be sent to the legislators representing said participating municipalities.

(c) (1) **[**An entity specified in subsection (a) of this section**]** A regional council of governments or an economic development district shall submit each proposal in the form and manner the secretary prescribes and shall, at a minimum, provide the following information for each proposal: (A) Service description; (B) the explanation of the need for such service; (C) the method of delivering such service on a regional basis; (D) the organization that would be responsible for regional service delivery; (E) a description of the population that would be served; (F) the manner in which regional service delivery will achieve economies of scale; (G) the amount by which participating municipalities will reduce their mill rates as a result of savings realized; (H) a cost benefit analysis for the provision of the service by each participating municipality and by the entity submitting the

proposal; (I) a plan of implementation for delivery of the service on a regional basis; (J) a resolution endorsing such proposal approved by the legislative body of each participating municipality; and (K) an explanation of the potential legal obstacles, if any, to the regional provision of the service.

(2) The secretary shall review each proposal and shall award grants for proposals the secretary determines best meet the requirements of this section. In awarding such grants, the secretary shall give priority to a proposal submitted by (A) any entity specified in subsection (a) of this section that includes participation of all of the member municipalities of such entity, and which may increase the purchasing power of participating municipalities or provide a cost savings initiative resulting in a decrease in expenses of such municipalities, allowing such municipalities to lower property taxes, and (B) any economic development district.

(d) On or before December 31, 2013, and annually thereafter, in addition to any proposal submitted pursuant to this section, any municipality or regional council of governments may apply to the secretary for a grant to fund: (1) operating costs associated with connecting to the state-wide high speed, flexible network developed pursuant to section 4d-80, as amended by this act, including the costs to connect at the same rate as other government entities served by such network; and (2) capital cost associated with connecting to such network, including expenses associated with building out the internal fiber network connections required to connect to such network, provided the secretary shall make any such grant available in accordance with the two-year schedule by which the Bureau of Enterprise Systems and Technology recommends connecting each municipality and regional council of governments to such network. Any municipality or regional council of governments shall submit each application in the form and manner the secretary prescribes.

(e) The secretary shall submit to the Governor and the joint standing committee of the General Assembly having cognizance of matters relating to finance, revenue and bonding a report on the grants provided pursuant to this section. Each such report shall include information on the amount of each grant, and the potential of each grant for leveraging other public and private investments. The secretary shall submit a report for the fiscal year commencing July 1, 2011, not later than February 1, 2012, and shall submit a report for each subsequent fiscal year not later than the first day of March in such fiscal year. Such reports shall include the property tax reductions achieved by means of the program established pursuant to this section.

Sec. 255. Subsections (a) and (b) of section 4d-80 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) There is established a Commission for Educational Technology within the Department of Administrative Services. The commission shall consist of the following members or their designees: (1) The Secretary of the Office of Policy and Management, the Commissioner of Administrative Services, **[**or the commissioner's designee,**]** the Commissioner of Education, the Commissioner of Economic and Community Development, the president of The University of Connecticut and the president of the Board of Regents for Higher Education, **[**or their designees,**]** the State Librarian **[**, or the State Librarian's designee, the chairperson of the Public Utilities Regulatory Authority, or the chairperson's designee, the chief executive officers of the constituent units of the state system of higher education, or their designees**]** and the Consumer Counsel, (2) one member each representing the Connecticut Conference of Independent Colleges, the Connecticut Association of Boards of Education, the **[**Connecticut Association of Public School Superintendents, the Connecticut Educators Computer Association,**]** Connecticut Conference of

Municipalities, the Connecticut Council of Small Towns and the Connecticut Library Association, (3) **[**a secondary school teacher designated by the Connecticut Education Association and an elementary school teacher designated by the Connecticut Federation of Educational and Professional Employees, and (4)**]** four members who represent business **[**and**]** or have expertise in information technology, **[**one each**]** two of whom shall be appointed by the Governor, **[**the Lieutenant Governor,**]** one of whom shall be appointed by the speaker of the House of Representatives and one of whom shall be appointed by the president pro tempore of the Senate, (4) one member who is a chief elected official of a municipality, who shall be appointed by the minority leader of the Senate, and (5) one member who is a representative of small business who shall be appointed by the minority leader of the House of Representatives. The commission shall convene a meeting at least once during each calendar quarter. **[**The Lieutenant Governor shall convene the first meeting of the commission on or before September 1, 2000.**]**

(b) The **[**commission shall elect**]** Governor shall appoint a chairperson from among **[**its**]** the members of the commission or their designees. Subject to the provisions of chapter 67, and within available appropriations, the commission may appoint an executive director and such other employees as may be necessary for the discharge of the duties of the commission. Notwithstanding any provision of the general statutes, the executive director shall have the option to elect participation in the state employees retirement system, or the alternate retirement program established for eligible employees in higher education or the teachers' retirement system.

Sec. 256. (*Effective from passage*) The Bureau of Enterprise Systems and Technology shall, in consultation with regional councils of governments, recommend a two-year schedule by which to connect each municipality and regional council of governments to the state-

wide high speed, flexible network developed pursuant to section 4d-80 of the general statutes, as amended by this act. On or before October 1, 2013, said bureau shall submit the recommended two-year schedule, in accordance with section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to municipalities.

Sec. 257. (NEW) (*Effective from passage*) (a) Not later than July 1, 2014, the Secretary of the Office of Policy and Management shall, in consultation with the Department of Education, the Connecticut Conference of Municipalities and the Council of Small Towns, develop and implement a uniform system of accounting for municipal revenues and expenditures, including, but not limited to, board of education and grant agency expenditures and revenue. Such uniform system of accounting shall include a uniform chart of accounts to be used at the municipal level. Such chart of accounts shall include, but not be limited to, all amounts and sources of revenue and donations of cash and real or personal property in the aggregate totaling five hundred dollars or more received by a municipality. The secretary shall make such chart of accounts available on the Internet web site of the Office of Policy and Management.

(b) Not later than June 30, 2015, each municipality shall implement the uniform system of accounting for municipal revenues and expenditures developed pursuant to subsection (a) of this section by using such uniform system to complete and file annual reports with the Office of Policy and Management as may be required by the secretary in order to increase transparency regarding municipal expenditures and to meet the state's benchmarking goals.

Sec. 258. Section 4-124i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

As used in sections 4-124i to 4-124p, inclusive, as amended by this

act:

(1) "Planning region" means a planning region of the state as defined or redefined by the Secretary of the Office of Policy and Management, or his designee under the provisions of section 16a-4a, as amended by this act;

[(2) "Regional council of elected officials" means any regional council of elected officials organized under the provisions of this chapter;

(3) "Regional planning agency" means any regional planning agency organized under the provisions of chapter 127;**]**

[(4)**]** (2) "Chief elected official" means the highest ranking elected governmental official of any town, city or borough within the state;

[(5)**]** (3) "Elected official" means any selectman, mayor, alderman, or member of a common council or other similar legislative body of any town or city, or warden or burgess of any borough;

[(6)**]** (4) "Council" means a regional council of governments organized under the provisions of sections 4-124i to 4-124p, inclusive, as amended by this act;

[(7)**]** (5) "Member" means any town, city or borough within a planning region of the state having become a member of a regional council of governments in accordance with **[**said**]** sections **[**;**]** 4-124i to 4-124p, inclusive, as amended by this act.

[(8) "Regional planning organization" means a regional council of governments organized under the provisions of sections 4-124i to 4-124p, inclusive, a regional council of elected officials organized under the provisions of sections 4-124c to 4-124h, inclusive, or a regional planning agency organized under the provisions of chapter 127.**]**

Sec. 259. Section 4-124j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Within any planning region of the state a regional council of governments may be created by the adoption of sections 4-124i to 4-124p, inclusive, by ordinance of the legislative bodies of not less than sixty per cent of all towns, cities and boroughs within such planning region entitled to membership on such council as hereinafter provided. **[**Where any regional council of elected officials, or a regional planning agency, exist within a planning region, a regional council of governments may be created either as hereinabove provided, or by the adoption of said sections by resolution of any such regional council or councils of elected officials and any such regional planning agency, and the ratification of any such resolution by ordinance of the legislative bodies of not less than sixty per cent of all such towns, cities and boroughs.**]** All towns, cities and boroughs within a planning region shall be entitled to membership on such council, including any city or borough with boundaries not coterminous with the boundaries of the town in which it is located. Any nonmember town, city or borough entitled to membership may join the council by the adoption of said sections by ordinance of its legislative body. Any member town, city or borough may withdraw from the council by adoption of an appropriate ordinance of its legislative body to become effective on the date of such adoption; provided, however, that any such withdrawing member shall be obligated to pay its pro rata share of expenses of operation and pro rata share of funds committed by the council to active programs as of such date of withdrawal.

Sec. 260. (*Effective July 1, 2013*) The Commissioner of Transportation shall, within available appropriations, prepare a report on the redesignation of metropolitan planning organizations, as defined in 23 USC 134. Such report shall include, without limitation: (1) A suggested process for redesignation; (2) assistance that would be provided by the

Department of Transportation; and (3) the structures and resources that would be necessary to meet federal transportation requirements related to planning, capital programming, project selection, asset management and performance measurement pursuant to the Moving Ahead for Progress in the 21st Century Act. Not later than July 1, 2014, the commissioner shall submit such report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to municipalities and transportation.

Sec. 261. Section 4-124*l* of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

[(a)**]** Upon the adoption of sections 4-124i to 4-124p, inclusive, as amended by this act, or upon the ratification of a resolution adopting said sections, as provided in section 4-124j, by any town, city or borough entitled to membership on a regional council of governments, the clerk of such town, city or borough shall immediately prepare and file with the Secretary of the Office of Policy and Management, or his or her designee a certified copy of the adopting or ratifying ordinance, and, upon receipt of such certified ordinances from not less than sixty per cent of all such towns, cities and boroughs within a planning region, said secretary or his or her designee shall certify to such towns, cities and boroughs and all other eligible towns, cities and boroughs within the planning region, that a regional council of governments has been duly established within such planning region. Any subsequent ordinances adopting the provisions of said sections, or effecting the withdrawal from the council of a member shall be similarly filed. **[**Except as hereinafter provided in this section, upon the establishment of a regional council of governments within a planning region in accordance with said sections, no regional council of elected officials nor regional planning agency shall be subsequently established within such planning region.**]**

[(b) If at the time of the adoption or ratification of the provisions of said sections by the requisite sixty per cent majority of all eligible towns, cities and boroughs within a planning region there exists within such planning region a regional council of elected officials, or regional planning agency, or both, the existence and activities of any such regional council of elected officials or regional planning agency shall continue uninterrupted for the duration of a transitional period commencing with the certification of the establishment of the council by the Secretary of the Office of Policy and Management, or his designee pursuant to subsection (a) of this section. The chief elected officials of each town, city or borough subsequently adopting said sections, or in the absence of a chief elected official, an elected official appointed by the legislative body of any such member, shall constitute a transitional executive committee of the regional council of governments during such transitional period. Any such transitional executive committee acting under this subsection shall have the following authority and responsibilities: (1) To draft and propose bylaws for adoption by the council; (2) to select and propose for election by the council, candidates for offices of the council which may include any one or more members of the transitional committee; (3) to propose staffing arrangements, for adoption by the council; (4) to prepare and propose, for adoption by the council, a program of planning and implementation activities, which shall provide for the assumption of such active programs of any such existing regional council of elected officials or regional planning agency, as such executive committee may deem appropriate and a budget for a period not to exceed one year following such transitional period; (5) to propose, for adoption by the council, the date upon which such transitional period shall terminate, which date shall not be later than one year from the date of certification by the secretary of the office of policy and management, or his designee of the establishment of the council.

(c) Upon the expiration of the transitional period provided for under subsection (b) of this section, the regional council of governments shall succeed to and be responsible for all of the rights, privileges and obligations, whether statutory or contractual, of any regional council of elected officials, or regional planning agency, or both, within the planning region, and no regional council of elected officials nor regional planning agency shall be subsequently created within such planning region, except as provided in subsection (d) of this section.

(d) If at any time after the establishment within a planning region of a regional council of governments the members of the council shall constitute less than forty per cent of all eligible towns, cities and boroughs within such planning region, the council shall thereafter be deemed a regional council of elected officials without the rights and duties of a regional planning agency for as long as and until the membership of the council shall again constitute not less than sixty per cent of all such eligible cities, towns and boroughs within the planning region. Whenever the members of the council shall constitute less than forty per cent of all such eligible towns, cities and boroughs within the planning region, a regional council of elected officials and a regional planning agency may be established within such region under the general statutes, as amended.**]**

Sec. 262. Section 4-124u of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(a) As used in this section**,** **[**:**]** "proposed project of regional significance" means a proposed project, to be built by a private developer, that is an open air theater, shopping center or other development that is planned to create more than (1) five hundred thousand square feet of indoor commercial or industrial space, (2) two hundred fifty residential housing units in structures under four stories, or (3) one thousand parking spaces.

[(1) "Regional planning organization" means (A) a regional council of governments organized under the provisions of sections 4-124i to 4-124p, inclusive, (B) a regional council of elected officials organized under the provisions of sections 4-124c to 4-124h, inclusive, or (C) a regional planning agency organized under the provisions of chapter 127; and

(2) "Proposed project of regional significance" means a proposed project, to be built by a private developer, that is an open air theater, shopping center or other development that is planned to create more than (A) five hundred thousand square feet of indoor commercial or industrial space, (B) two hundred fifty residential housing units in structures under four stories, or (C) one thousand parking spaces.**]**

(b) Each regional **[**planning organization**]** council of governments shall establish a voluntary process for applicants to any state or municipal agency, department or commission to request a preapplication review of proposed projects of regional significance. Such process shall determine the components of the review which shall include a procedure to assure that all relevant municipalities and regional and state agencies provide the applicant with (1) preliminary comment on the project, which shall be in a form determined by the agency, (2) summaries of the review process of each agency, and (3) an opportunity for the applicant to discuss the project with representatives of each relevant municipality or state agency at a meeting convened by the regional **[**planning organization**]** council of governments. At least one representative from each relevant municipality and each state agency, department or commission shall participate in a review of a proposed project of regional significance upon request of a regional **[**planning organization**]** council of governments at a meeting convened for such purpose, provided (A) the regional **[**planning organization**]** council of governments notifies each agency, department or commission of any such meeting no later

than the date three weeks before the date of such meeting, and (B) no such organization shall convene more than one such meeting in any quarter of a calendar year. Nothing in this section shall be deemed to prevent two or more regional **[**planning organizations**]** councils of governments from convening joint meetings to carry out the provisions of this section. The regional **[**planning organization**]** council of governments shall prepare a report of the comments of the agencies reviewing the proposal and provide a copy of such report to the applicant and each reviewing agency.

(c) No results or information obtained from the preapplication review established under this section shall be appealed under any provision of the general statutes and no such results or information shall be binding on the applicant or any authority, commission, department, agency or other official having jurisdiction to review the proposed project.

Sec. 263. Subdivision (10) of section 4-230 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(10) "Audited agency" means a district, as defined in section 7-324, the Metropolitan District of Hartford County, a regional board of education, a regional **[**planning agency**]** council of governments, any other political subdivision of similar character which is created or any other agency created or designated by a municipality to act for such municipality whose annual receipts from all sources exceed one million dollars or any tourism district established under section 10-397;

Sec. 264. Section 4b-24a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

As used in this section, "state facility" means buildings and real property owned or leased by the state. The Commissioner of

Administrative Services, when leasing, purchasing or contracting for the purchase of a state facility, shall consider the proximity of state facilities to railroads or motor bus routes. The Commissioner of Administrative Services shall consult with the Department of Transportation, transit districts or regional **[**planning agencies**]** councils of governments on the current and future status of railroad and motor bus routes prior to leasing, purchasing or contracting for the purchase of a state facility.

Sec. 265. Subsection (a) of section 5-259 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(a) The Comptroller, with the approval of the Attorney General and of the Insurance Commissioner, shall arrange and procure a group hospitalization and medical and surgical insurance plan or plans for (1) state employees, (2) members of the General Assembly who elect coverage under such plan or plans, (3) participants in an alternate retirement program who meet the service requirements of section 5-162 or subsection (a) of section 5-166, (4) anyone receiving benefits under section 5-144 or from any state-sponsored retirement system, except the teachers' retirement system and the municipal employees retirement system, (5) judges of probate and Probate Court employees, (6) the surviving spouse, and any dependent children of a state police officer, a member of an organized local police department, a firefighter or a constable who performs criminal law enforcement duties who dies before, on or after June 26, 2003, as the result of injuries received while acting within the scope of such officer's or firefighter's or constable's employment and not as the result of illness or natural causes, and whose surviving spouse and dependent children are not otherwise eligible for a group hospitalization and medical and surgical insurance plan. Coverage for a dependent child pursuant to this subdivision shall terminate no earlier than the policy anniversary date on or after

whichever of the following occurs first, the date on which the child: Becomes covered under a group health plan through the dependent's own employment; or attains the age of twenty-six, (7) employees of the Capital Region Development Authority established by section 32-601, and (8) the surviving spouse and dependent children of any employee of a municipality who dies on or after October 1, 2000, as the result of injuries received while acting within the scope of such employee's employment and not as the result of illness or natural causes, and whose surviving spouse and dependent children are not otherwise eligible for a group hospitalization and medical and surgical insurance plan. For purposes of this subdivision, "employee" means any regular employee or elective officer receiving pay from a municipality, "municipality" means any town, city, borough, school district, taxing district, fire district, district department of health, probate district, housing authority, regional work force development board established under section 31-3k, flood commission or authority established by special act or regional **[**planning agency**]** council of governments. For purposes of subdivision (6) of this subsection, "firefighter" means any person who is regularly employed and paid by any municipality for the purpose of performing firefighting duties for a municipality on average of not less than thirty-five hours per week. The minimum benefits to be provided by such plan or plans shall be substantially equal in value to the benefits that each such employee or member of the General Assembly could secure in such plan or plans on an individual basis on the preceding first day of July. The state shall pay for each such employee and each member of the General Assembly covered by such plan or plans the portion of the premium charged for such member's or employee's individual coverage and seventy per cent of the additional cost of the form of coverage and such amount shall be credited to the total premiums owed by such employee or member of the General Assembly for the form of such member's or employee's coverage under such plan or plans. On and after January 1, 1989, the state shall pay for anyone receiving benefits from any such

state-sponsored retirement system one hundred per cent of the portion of the premium charged for such member's or employee's individual coverage and one hundred per cent of any additional cost for the form of coverage. The balance of any premiums payable by an individual employee or by a member of the General Assembly for the form of coverage shall be deducted from the payroll by the State Comptroller. The total premiums payable shall be remitted by the Comptroller to the insurance company or companies or nonprofit organization or organizations providing the coverage. The amount of the state's contribution per employee for a health maintenance organization option shall be equal, in terms of dollars and cents, to the largest amount of the contribution per employee paid for any other option that is available to all eligible state employees included in the health benefits plan, but shall not be required to exceed the amount of the health maintenance organization premium.

Sec. 266. Subsection (i) of section 5-259 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(i) The Comptroller may provide for coverage of employees of municipalities, nonprofit corporations, community action agencies and small employers and individuals eligible for a health coverage tax credit, retired members or members of an association for personal care assistants under the plan or plans procured under subsection (a) of this section, provided: (1) Participation by each municipality, nonprofit corporation, community action agency, small employer, eligible individual, retired member or association for personal care assistants shall be on a voluntary basis; (2) where an employee organization represents employees of a municipality, nonprofit corporation, community action agency or small employer, participation in a plan or plans to be procured under subsection (a) of this section shall be by mutual agreement of the municipality, nonprofit corporation,

community action agency or small employer and the employee organization only and neither party may submit the issue of participation to binding arbitration except by mutual agreement if such binding arbitration is available; (3) no group of employees shall be refused entry into the plan by reason of past or future health care costs or claim experience; (4) rates paid by the state for its employees under subsection (a) of this section are not adversely affected by this subsection; (5) administrative costs to the plan or plans provided under this subsection shall not be paid by the state; (6) participation in the plan or plans in an amount determined by the state shall be for the duration of the period of the plan or plans, or for such other period as mutually agreed by the municipality, nonprofit corporation, community action agency, small employer, retired member or association for personal care assistants and the Comptroller; and (7) nothing in this section or section 12-202a, 38a-551, 38a-553 or 38a-556 shall be construed as requiring a participating insurer or health care center to issue individual policies to individuals eligible for a health coverage tax credit. The coverage provided under this section may be referred to as the "Municipal Employee Health Insurance Plan". The Comptroller may arrange and procure for the employees and eligible individuals under this subsection health benefit plans that vary from the plan or plans procured under subsection (a) of this section. Notwithstanding any provision of part V of chapter 700c, the coverage provided under this subsection may be offered on either a fully underwritten or risk-pooled basis at the discretion of the Comptroller. For the purposes of this subsection, (A) "municipality" means any town, city, borough, school district, taxing district, fire district, district department of health, probate district, housing authority, regional work force development board established under section 31-3k, regional emergency telecommunications center, tourism district established under section 32-302, flood commission or authority established by special act, regional **[**planning agency**]** council of governments, transit district formed under chapter 103a, or the

Children's Center established by number 571 of the public acts of 1969; (B) "nonprofit corporation" means (i) a nonprofit corporation organized under 26 USC 501 that has a contract with the state or receives a portion of its funding from a municipality, the state or the federal government, or (ii) an organization that is tax exempt pursuant to 26 USC 501(c)(5); (C) "community action agency" means a community action agency, as defined in section 17b-885; (D) "small employer" means a small employer, as defined in subparagraph (A) of subdivision (4) of section 38a-564; (E) "eligible individuals" or "individuals eligible for a health coverage tax credit" means individuals who are eligible for the credit for health insurance costs under Section 35 of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, in accordance with the Pension Benefit Guaranty Corporation and Trade Adjustment Assistance programs of the Trade Act of 2002 (P.L. 107-210); (F) "association for personal care assistants" means an organization composed of personal care attendants who are employed by recipients of service (i) under the home-care program for the elderly under section 17b-342, (ii) under the personal care assistance program under section 17b-605a, (iii) in an independent living center pursuant to sections 17b-613 to 17b-615, inclusive, or (iv) under the program for individuals with acquired brain injury as described in section 17b-260a; and (G) "retired members" means individuals eligible for a retirement benefit from the Connecticut municipal employees' retirement system.

Sec. 267. Section 7-130w of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

Sections 7-130a to 7-130w, inclusive, shall constitute full and complete authority, without regard to the provisions of any other law, for the doing of the acts and things therein authorized and shall be liberally construed to effect the purposes hereof, provided the

ordinance creating the authority may include limitations on the powers and procedures of the authority. Unless otherwise provided in such ordinance, neither the consent nor approval of any planning commission, regional **[**planning agency**]** council of governments, historic district commission, municipal or regional economic development commission or any other board, body or commission established or created before or after July 1, 1965, shall be required for the exercise of the powers conferred by said sections; provided no project shall be constructed in any municipality if it is inconsistent with the plan of conservation and development for the municipality adopted pursuant to section 8-23, as amended by this act, except with the approval of the planning commission of such municipality.

Sec. 268. Section 7-136e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(a) A municipality which, pursuant to section 7-136d, has authorized the establishment of a foreign trade zone, shall submit a copy of the application for the privilege of operating such foreign trade zone to the regional **[**planning agency**]** council of governments for the area of operation within which such municipality is located and the Departments of Economic and Community Development, Environmental Protection and Transportation for their comments on the advisability of establishment of such zone. Such comments shall be prepared within ninety days of receipt of the application from the municipality.

(b) The Departments of Economic and Community Development, Environmental Protection and Transportation shall submit their advisory comments to the municipality and to the board established by said federal Foreign-Trade Zones Act.

Sec. 269. Section 7-391 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

When used in this chapter, unless the context otherwise requires, the following terms shall have the meanings herein specified: "Secretary" means the Secretary of the Office of Policy and Management; "municipality" includes each town, consolidated town and city, consolidated town and borough, city and borough; "audited agency" includes each district, as defined in section 7-324, or other municipal utility, the Metropolitan District of Hartford County, each regional **[**planning agency**]** council of governments, any other political subdivision of similar character which is created and any other agency created or designated by a municipality to act for such municipality whose annual receipts from all sources exceed one million dollars; "reporting agency" includes each district, as defined in section 7-324, or other municipal utility, each regional **[**planning agency**]** council of governments, any other political subdivision of similar character which is created and any other agency created or designated by a municipality to act for such municipality whose annual receipts from all sources do not exceed one million dollars; "appointing authority" means the legislative body of a municipality or the board, committee or other governing body of such audited agency, except in any town where the authority to adopt a budget rests with a town meeting or a representative town meeting "appointing authority" means the board of finance or other board, committee or body charged with preparing the budget, or in a town **[**which**]** that has no board of finance or other such board, committee or body, means the board of selectmen or the town council; "audit report" means the report of the independent auditor and the annual financial statements of the municipality or audited agency; "independent auditor" means a public accountant who is licensed to practice in the state of Connecticut and who meets the independence standards included in generally accepted government auditing standards; "public accountant" means an individual who meets standards included in generally accepted government auditing standards for personnel performing government audits and the licensing requirements of the State Board of Accountancy; "receipts"

means amounts accrued or received by a municipality, audited agency or reporting agency and reportable as revenues in accordance with generally accepted accounting principles; "municipal utility" means every Connecticut municipality or department or agency thereof, or Connecticut district, manufacturing, selling or distributing gas or electricity to be used for light, heat or power or water.

Sec. 270. Subdivisions (1) to (3), inclusive, of section 7-425 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(1) "Municipality" means any town, city, borough, school district, regional school district, taxing district, fire district, district department of health, probate district, housing authority, regional work force development board established under section 31-3k, regional emergency telecommunications center, tourism district established under section 10-397, flood commission or authority established by special act or regional **[**planning agency**]** council of governments;

(2) "Participating municipality" means any municipality **[**which**]** that has accepted this part, as provided in section 7-427, as amended by this act;

(3) "Legislative body" means, for towns having a town council, the council; for other towns, the selectmen; for cities, the common council or other similar body of officials; for boroughs, the warden and burgesses; for regional school districts, the regional board of education; for district departments of health, the board of the district; for probate districts, the judge of probate; for regional **[**planning agencies**]** councils of governments, the **[**regional planning board**]** council; for regional emergency telecommunications centers, a representative board; for tourism districts, the board of directors of such tourism district; and in all other cases the body authorized by the general statutes or by special act to make ordinances for the

municipality;

Sec. 271. Subsection (a) of section 7-427 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(a) Any municipality except a housing authority, which is governed by subsection (b) of this section or a regional work force development board established under section 31-3k, which is governed by section 7-427a, may, by resolution passed by its legislative body and subject to such referendum as may be hereinafter provided, accept this part as to any department or departments of such municipality as may be designated therein, including elective officers if so specified, free public libraries which receive part or all of their income from municipal appropriation, and the redevelopment agency of such municipality whether or not such municipality is a member of the system, as defined in section 7-452, as amended by this act, but such acceptance shall not repeal, amend or replace, or affect the continuance of, any pension system established in such municipality by or under the authority of any special act and all such special acts shall remain in full force and effect until repealed or amended by the General Assembly or as provided by chapter 99. The acceptance of this part as to any department or departments of a municipality shall not affect the right of such municipality to accept it in the future as to any other department or departments. In any municipality other than a district department of health, housing authority, flood commission or authority, regional **[**planning agency**]** council of governments or supervision district board of education, such resolution shall not take effect until it has been approved by a majority of the electors of the municipality voting thereon at the next regular election or meeting or at a special election or meeting called for the purpose. The effective date of participation shall be at least ninety days subsequent to the receipt by the Retirement Commission of the certified copy of such

resolution. The Retirement Commission shall furnish to any municipality contemplating acceptance of this part, at the expense of such municipality, an estimate of the probable cost to such municipality of such acceptance as to any department or departments thereof.

Sec. 272. Subdivisions (1) to (4), inclusive, of section 7-452 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(1) "Municipality" means any town, consolidated town and city, consolidated town and borough, borough, fire district, school district, district department of health, regional **[**planning agency**]** council of governments, probate district, housing authority, flood commission or authority established by special act or other municipal association created by special law or by general law or an instrumentality of any of these, if such instrumentality is a distinct juristic entity legally separate from any of the above and its employees are not, through this relation, employees of one of the above;

(2) "Commission" means the State Retirement Commission;

(3) "System" means the Old Age and Survivors Insurance System under Title II of the Social Security Act, as amended;

(4) "Legislative body", unless otherwise provided by special act or by charter adopted under the provisions of chapter 99, as applied to unconsolidated towns, means the town meeting; as applied to cities and to consolidated towns and cities, means the board of aldermen, council or other body charged with the duty of making annual appropriations; as applied to boroughs and consolidated towns and boroughs, means the board of burgesses; as applied to fire districts, means the district meeting; as applied to district departments of health, means the district board; as applied to probate districts, means the

judge of probate; as applied to regional **[**planning agencies**]** councils of governments, means the **[**regional planning board**]** council, and, in all other cases, means the body authorized by the general statutes or by special act to make bylaws or ordinances for the municipality;

Sec. 273. Section 7-465 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(a) Any town, city or borough, notwithstanding any inconsistent provision of law, general, special or local, shall pay on behalf of any employee of such municipality, except firemen covered under the provisions of section 7-308, and on behalf of any member from such municipality of a local emergency planning district, appointed pursuant to section 22a-601, all sums which such employee becomes obligated to pay by reason of the liability imposed upon such employee by law for damages awarded for infringement of any person's civil rights or for physical damages to person or property, except as set forth in this section, if the employee, at the time of the occurrence, accident, physical injury or damages complained of, was acting in the performance of his duties and within the scope of his employment, and if such occurrence, accident, physical injury or damage was not the result of any wilful or wanton act of such employee in the discharge of such duty. This section shall not apply to physical injury to a person caused by an employee to a fellow employee while both employees are engaged in the scope of their employment for such municipality if the employee suffering such injury or, in the case of his death, his dependent, has a right to benefits or compensation under chapter 568 by reason of such injury. If an employee or, in the case of his death, his dependent, has a right to benefits or compensation under chapter 568 by reason of injury or death caused by the negligence or wrong of a fellow employee while both employees are engaged in the scope of their employment for such municipality, such employee or, in the case of his death, his

dependent, shall have no cause of action against such fellow employee to recover damages for such injury or death unless such wrong was wilful and malicious or the action is based on the fellow employee's negligence in the operation of a motor vehicle, as defined in section 14-1. This section shall not apply to libel or slander proceedings brought against any such employee and, in such cases, there is no assumption of liability by any town, city or borough. Any employee of such municipality, although excused from official duty at the time, for the purposes of this section shall be deemed to be acting in the discharge of duty when engaged in the immediate and actual performance of a public duty imposed by law. Such municipality may arrange for and maintain appropriate insurance or may elect to act as a self-insurer to maintain such protection. No action for personal physical injuries or damages to real or personal property shall be maintained against such municipality and employee jointly unless such action is commenced within two years after the cause of action therefor arose and written notice of the intention to commence such action and of the time when and the place where the damages were incurred or sustained has been filed with the clerk of such municipality within six months after such cause of action has accrued. Governmental immunity shall not be a defense in any action brought under this section. In any such action the municipality and the employee may be represented by the same attorney if the municipality, at the time such attorney enters his appearance, files a statement with the court, which shall not become part of the pleadings or judgment file, that it will pay any final judgment rendered in such action against such employee. No mention of any kind shall be made of such statement by any counsel during the trial of such action. As used in this section, "employee" includes (1) a member of a town board of education and any teacher, including a student teacher doing practice teaching under the direction of such a teacher, or other person employed by such board, and (2) a member of the local emergency planning committee from such municipality appointed pursuant to section 22a-601. Nothing in this section shall be

construed to abrogate the right of any person, board or commission which may accrue under section 10-235.

(b) Each town, city or borough which has joined with other towns, cities or boroughs to form a district department of health, pursuant to chapter 368f, or a regional **[**planning agency, pursuant to chapter 127**]** council of governments, pursuant to section 4-124j, as amended by this act, shall jointly assume the liability imposed upon any officer, agent or employee of such district department of health or such regional **[**planning agency**]** council of governments, acting in the performance of his duties and in the scope of his employment, under, and in the manner and in accordance with the procedures set forth in, subsection (a) of this section. Such joint assumption of liability shall be proportionately shared by the towns, cities and boroughs in such district or regional **[**planning agency**]** council of governments, on the same basis that the expenses of such district are shared as determined under section 19a-243. **[**, or such regional planning agency as determined under section 8-34a.**]**

Sec. 274. Section 7-479 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

For the purposes of this section, "municipality" means any town, city, borough, school district, taxing district, fire district, district department of health, probate district, housing authority, flood commission or authority established by special act or regional **[**planning agency**]** council of governments. Any municipality, in addition to such powers as it has under the provisions of the general statutes or any special act, may, by ordinance or regulation, prohibit any member or employee of any municipal board or agency, or any official, officer or employee of such municipality from (1) being financially interested, or having any personal beneficial interest, either directly or indirectly, in any contract or purchase order for any supplies, materials, equipment or contractual services furnished to or

used by any such municipality, board or agency, and (2) accepting or receiving, directly or indirectly, from any person, firm or corporation to which any contract or purchase order may be awarded by such municipality, by rebate, gifts or otherwise, any money, or anything of value whatsoever, or any promise, obligation or contract for future reward or compensation. Such municipalities may prescribe penalties for the violation of any ordinance or regulation enacted pursuant to this section, including the voidance of any municipal purchase, contract or ruling adopted in contravention thereof.

Sec. 275. Subsection (e) of section 8-2j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(e) The commission may seek the recommendations of any town agency or regional **[**agency**]** council or outside specialist with which it consults, including, but not limited to, the regional **[**planning agency**]** council of governments, the municipality's historical society, the Connecticut Trust for Historic Preservation and The University of Connecticut College of Agriculture and Natural Resources. Any reports or recommendations from such **[**agencies**]** councils or organizations shall be entered into the public hearing record.

Sec. 276. Section 8-3b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

When the zoning commission of any municipality proposes to establish or change a zone or any regulation affecting the use of a zone any portion of which is within five hundred feet of the boundary of another municipality, **[**located within the area of operation of a regional planning agency,**]** the zoning commission shall give written notice of its proposal to each regional **[**planning agency**]** council of governments for the region or regions in which it and the other municipality are located. Such notice shall be made by certified mail,

return receipt requested, or by electronic mail to the electronic mail address designated by the regional **[**planning agency**]** council of governments on the **[**agency's**]** council's Internet web site for receipt of such notice, not later than thirty days before the public hearing to be held in relation thereto. If such notice is sent by electronic mail and the zoning commission does not receive an electronic mail message from a regional **[**planning agency**]** council of governments confirming receipt of such notice, then not later than twenty-five days before the public hearing, the zoning commission shall also send such notice by certified mail, return receipt requested, to such **[**planning agency**]** council. The regional **[**planning agency**]** council of governments shall study such proposal and shall report its findings and recommendations thereon to the zoning commission at or before the hearing, and such report shall be made a part of the record of such hearing. The report of any regional **[**planning agency**]** council of governments of any region that is contiguous to Long Island Sound shall include findings and recommendations on the environmental impact of the proposal on the ecosystem and habitat of Long Island Sound. If such report of the regional **[**planning agency**]** council of governments is not submitted at or before the hearing, it shall be presumed that such **[**agency**]** council does not disapprove of the proposal. A regional **[**planning agency**]** council of governments receiving such a notice may transmit such notice to the Secretary of the Office of Policy and Management or his or her designee for comment. The **[**planning agency**]** council may designate its **[**executive committee**]** regional planning commission to act for it under this section. **[**or may establish a subcommittee for the purpose.**]** The report of said **[**planning agency**]** council shall be purely advisory.

Sec. 277. Subdivision (4) of subsection (g) of section 8-23 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(4) At least sixty-five days prior to the public hearing on adoption, the commission shall submit a copy of such plan or part thereof or amendment thereto to the regional **[**planning agency**]** council of governments for review and comment. The regional **[**planning agency**]** council of governments shall submit an advisory report along with its comments to the commission at or before the hearing. Such comments shall include a finding on the consistency of the plan with (A) the regional plan of conservation and development, adopted under section 8-35a, as amended by this act, (B) the state plan of conservation and development, adopted pursuant to chapter 297, and (C) the plans of conservation and development of other municipalities in the area of operation of the regional **[**planning agency**]** council of governments. The commission may render a decision on the plan without the report of the regional **[**planning agency**]** council of governments.

Sec. 278. Section 8-26b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

Whenever a subdivision of land is planned, the area of which will abut or include land in two or more municipalities, **[**one or both of which are within a region or regions having a regional planning agency or agencies,**]** the planning commission, where one exists, of each such municipality shall, before approving the plan, give written notice of such subdivision plan to each regional **[**planning agency**]** council of governments for the region or regions in which it and the other municipality are located. Such notice shall be made by certified mail, return receipt requested, or by electronic mail to the electronic mail address designated by the regional **[**planning agency**]** council of governments on the **[**agency's**]** council's Internet web site for receipt of such notice, not later than thirty days before the public hearing to be held in relation thereto. If such notice is sent by electronic mail and the planning commission does not receive an electronic mail message from a regional **[**planning agency**]** council of governments confirming

receipt of such notice, then not later than twenty-five days before the public hearing, the planning commission shall also send such notice by certified mail, return receipt requested, to such **[**planning agency**]** council. A regional **[**planning agency**]** council of governments receiving such notice shall, at or before the hearing report to each such planning commission and to the proponent of such subdivision on its findings on the intermunicipal aspects of the proposed subdivision, including street layout, storm drainage, sewer and water service and such other matters as it considers appropriate. If such report of a regional **[**planning agency**]** council of governments is not submitted, at or before the hearing, it shall be presumed that such **[**agency**]** council does not disapprove of the proposed subdivision. A regional **[**planning agency**]** council of governments may designate its **[**executive committee**]** regional planning commission to act for it under this section. **[**or it may establish a subcommittee for the purpose.**]** The report of such regional **[**planning agency**]** council of governments shall be purely advisory.

Sec. 279. Section 8-35a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(a) At least once every ten years, each regional **[**planning agency**]** council of governments shall make a plan of conservation and development for its area of operation, showing its recommendations for the general use of the area including land use, housing, principal highways and freeways, bridges, airports, parks, playgrounds, recreational areas, schools, public institutions, public utilities, agriculture and such other matters as, in the opinion of the **[**agency**]** council, will be beneficial to the area. Any regional plan so developed shall be based on studies of physical, social, economic and governmental conditions and trends and shall be designed to promote with the greatest efficiency and economy the coordinated development of its area of operation and the general welfare and prosperity of its

people. Such plan may encourage energy-efficient patterns of development, the use of solar and other renewable forms of energy, and energy conservation. Such plan shall be designed to promote abatement of the pollution of the waters and air of the region. The regional plan shall identify areas where it is feasible and prudent (1) to have compact, transit accessible, pedestrian-oriented mixed use development patterns and land reuse, and (2) to promote such development patterns and land reuse and shall note any inconsistencies with the following growth management principles: (A) Redevelopment and revitalization of regional centers and areas of mixed land uses with existing or planned physical infrastructure; (B) expansion of housing opportunities and design choices to accommodate a variety of household types and needs; (C) concentration of development around transportation nodes and along major transportation corridors to support the viability of transportation options and land reuse; (D) conservation and restoration of the natural environment, cultural and historical resources and traditional rural lands; (E) protection of environmental assets critical to public health and safety; and (F) integration of planning across all levels of government to address issues on a local, regional and state-wide basis. The plan of each region contiguous to Long Island Sound shall be designed to reduce hypoxia, pathogens, toxic contaminants and floatable debris in Long Island Sound.

(b) Before adopting the regional plan of conservation and development or any part thereof or amendment thereto the **[**agency**]** regional council of governments shall hold at least one public hearing thereon, notice of the time, place and subject of which shall be given in writing to the chief executive officer and planning commission, where one exists, of each member town, city or borough. Notice of the time, place and subject of such hearing shall be published once in a newspaper having a substantial circulation in the region. Such notices shall be given not more than twenty days or less than ten days before

such hearing. At least sixty-five days before the public hearing the regional **[**planning agency**]** council of governments shall post the plan on the Internet web site of the **[**agency**]** council, if any, and submit the plan to the Secretary of the Office of Policy and Management for findings in the form of comments and recommendations. By October 1, 2011, the secretary shall establish, by regulations adopted in accordance with the provisions of chapter 54, criteria for such findings which shall include procedures for a uniform review of regional plans of conservation and development to determine if a proposed regional plan of conservation and development is not inconsistent with the state plan of conservation and development and the state economic strategic plan. The regional **[**planning agency**]** council of governments shall note on the record any inconsistency with the state plan of conservation and development and the reasons for such inconsistency. Adoption of the plan or part thereof or amendment thereto shall be made by the affirmative vote of not less than a majority of the representatives on the **[**agency**]** council. The plan shall be posted on the Internet web site of the **[**agency**]** council, if any, and a copy of the plan or of any amendments thereto, signed by the chairman of the **[**agency**]** council, shall be transmitted to the chief executive officers, the town, city or borough clerks, as the case may be, and to planning commissions, if any, in member towns, cities or boroughs, and to the Secretary of the Office of Policy and Management, or his or her designee. The regional **[**planning agency**]** council of governments shall notify the Secretary of the Office of Policy and Management of any inconsistency with the state plan of conservation and development and the reasons therefor.

[(c) The regional planning agency shall revise the plan of conservation and development not more than three years after July 1, 2005.**]**

[(d)**]** (c) The regional **[**planning agency**]** council of governments

shall assist municipalities within its region and state agencies and may assist other public and private agencies in developing and carrying out any regional plan or plans of such **[**regional planning agency**]** council. The regional **[**planning agency**]** council of governments may provide administrative, management, technical or planning assistance to municipalities within its region and other public agencies under such terms as it may determine, provided, prior to entering into an agreement for assistance to any municipality or other public agency, the regional **[**planning agency**]** council of governments shall have adopted a policy governing such assistance. The regional **[**planning agency**]** council of governments may be compensated by the municipality or other public agency with which an agreement for assistance has been made for all or part of the cost of such assistance.

Sec. 280. Section 8-35e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(a) Two or more regional **[**planning agencies**]** councils of governments may establish one or more **[**interagency**]** intercouncil committees to recommend policies relating to matters of an interregional nature, provided each participating **[**agency**]** council shall have first adopted a resolution authorizing establishment of any such **[**interagency**]** intercouncil committees and defining the scope of its duties.

(b) Two or more regional **[**planning agencies**]** councils of governments may share staff and staff from one **[**agency**]** council may work in the area of another **[**agency**]** council, provided each **[**agency**]** council involved in such a cooperative effort shall have first adopted a resolution authorizing such action and specifying the extent of cooperation and the terms under which it is to be provided.

Sec. 281. Subsection (a) of section 8-37u of the general statutes is repealed and the following is substituted in lieu thereof (*Effective*

January 1, 2015):

(a) The Commissioner of Economic and Community Development shall work with **[**regional planning agencies, regional councils of elected officials,**]** regional councils of governments, municipalities and municipal agencies, housing authorities and other appropriate agencies for the purpose of coordinating housing policy and housing activities, provided such coordination shall not be construed to restrict or diminish any power, right or authority granted to any municipality, agency, instrumentality, commission or any administrative or executive head thereof in accordance with the other provisions of the general statutes to proceed with any programs, projects or activities.

Sec. 282. Subsection (f) of section 8-163 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(f) **[**"Regional planning agency"**]** "Regional council of governments" means the regional **[**planning agency**]** council of governments created under **[**chapter 127**]** section 4-124j, as amended by this act;

Sec. 283. Section 8-165 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

In furtherance of the requirement of the federal act for an overall economic development program, the municipal economic development commission, if a redevelopment area consists of a single town or city within this state, shall be charged with the preparation and implementation of an overall economic development program. If a redevelopment area includes two or more towns or cities, the regional economic development commission including the several towns and cities defined in such an area shall prepare and implement an overall economic development program. In the preparation of such overall economic development program, the regional **[**planning agency, if

any,**]** council of governments of which the municipality or several municipalities included within the redevelopment area are members **[**,**]** shall submit recommendations and comments upon such overall economic development program to the municipal or regional economic development commission submitting such program. In any such redevelopment area in which there is no municipal or regional economic development commission **[**which**]** that has submitted such an overall economic development program within one hundred and twenty days after designation of the area as a redevelopment area by the Secretary of Commerce, the regional **[**planning agency**]** council of governments shall prepare and submit an overall economic development program for such area. This shall not preclude the preparation and submission of an overall economic development program by any private or nonprofit organization or association representing the redevelopment area or any part thereof. Municipalities, municipal and regional economic development commissions and regional **[**planning agencies**]** councils of governments may accept federal grants and aid for preparation of such overall economic development programs.

Sec. 284. Section 8-191 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(a) Before the development agency adopts a plan for a development project, (1) the planning commission of the municipality shall find that the plan is in accord with the plan of development for the municipality; and (2) the regional **[**planning agency, if any,**]** council of governments for the region within which such municipality is located shall find that such plan is in accord with the plan of development for such region, or if such **[**agency**]** council fails to make a finding concerning the plan within thirty-five days of receipt of the plan by such **[**agency**]** council, it shall be presumed that such **[**agency**]** council does not disapprove of the plan; and (3) the development agency shall

hold at least one public hearing on the plan. At least thirty-five days prior to any public hearing, the development agency shall post the plan on the Internet web site of the development agency, if any. Upon approval by the development agency, the agency shall submit the plan to the legislative body which shall vote to approve or disapprove the plan. After approval of the plan by the legislative body, the development agency shall submit the plan for approval to the commissioner. Notice of the time, place and subject of any public hearing held under this section shall be published once in a newspaper of general circulation in the municipality, such publication to be made not less than one week nor more than three weeks prior to the date set for the hearing. In the event the commissioner requires a substantial modification of the project plan before giving approval, then upon the completion of such modification such plan shall first have a public hearing and then be approved by the development agency and the legislative body. Any legislative body, agency or commission in approving a plan for a development project shall specifically approve the findings made in the plan.

(b) The provisions of subsection (a) of this section with respect to submission of a development project to and approval by the commissioner shall not apply to a project for which no grant has been made under section 8-190 and no application for a grant is to be made under section 8-195.

Sec. 285. Subsection (c) of section 8-206 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(c) The Commissioner of Economic and Community Development may make available technical and financial assistance and advisory services to any municipality, municipal agency, local housing authority, human resource development agency, **[**regional planning agency, regional council of elected officials,**]** regional council of

governments, housing sponsor, prospective housing sponsor or other appropriate agency, or the Connecticut Housing Authority, for any activity pertinent to the development, preservation, repair or rehabilitation of housing or for urban renewal, redevelopment or community development activities as defined in chapter 130, provided any financial assistance to a **[**regional planning agency,**]** regional council of governments **[**or a regional council of elected officials**]** shall have the prior approval of the Secretary of the Office of Policy and Management, or his or her designee. Financial, technical or advisory assistance shall be rendered upon such contractual arrangements as may be agreed upon by the commissioner and any such municipality, agency, authority, council or sponsor in accordance with their respective needs.

Sec. 286. Subsection (b) of section 8-385 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(b) The Housing Advisory Committee shall: (1) Advise the General Assembly, the Governor, the Commissioner of Economic and Community Development and the Connecticut Housing Finance Authority on matters relating to housing programs and policies; (2) provide legislative recommendations relating to housing matters to the Commissioner of Economic and Community Development, the Connecticut Housing Finance Authority and the General Assembly; (3) monitor the housing-related activities of the regional **[**planning agencies under chapter 127**]** councils of governments; and (4) promote coordination on housing matters among state agencies.

Sec. 287. Subdivision (77) of section 12-81 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(77) Real property belonging to, or held in trust for, **[**a regional

council of elected officials established under sections 4-124c to 4-124f, inclusive,**]** a regional council of governments established under sections 4-124i to 4-124p, inclusive, as amended by this act, **[**or a regional planning agency organized under sections 8-31a to 8-37b, inclusive,**]** provided (A) such property is used to advance the official duties of such council, **[**or agency,**]** and (B) the exemption for such property is approved by the municipality in which such property is located.

Sec. 288. Section 13b-31a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

The Commissioner of Transportation shall develop guidelines for the design and construction of roads and streets in residential subdivisions. Such guidelines shall be based upon considerations of safety, maintenance and cost effectiveness and shall be distributed to municipal **[**and regional**]** planning agencies and regional councils of governments throughout the state who may use such standards in the adoption of municipal subdivision regulations.

Sec. 289. Subdivision (5) of subsection (a) of section 13b-57d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(5) "Local planning agency" means a metropolitan planning organization, as provided in 23 USC 134, **[**a regional planning agency, as provided in section 8-31a,**]** or a **[**regional**]** council, **[**of elected officials,**]** as defined in subdivision **[**(2)**]** (4) of section 4-124i, as amended by this act; **[**, or a council, as defined in subsection (f) of section 4-124c;**]**

Sec. 290. Section 13b-78*l* of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

The Commissioner of Transportation shall:

(1) Acquire not less than three hundred forty-two self-propelled rail cars for use on the New Haven Line;

(2) Design and construct rail maintenance facilities to support the self-propelled rail cars;

(3) Design and construct operational improvements to Interstate 95 between Greenwich and North Stonington;

(4) Purchase twenty-five transit buses; and

(5) In consultation with cognizant metropolitan planning organizations **[**, regional planning agencies, regional councils of elected officials**]** and regional councils of governments, evaluate, design and construct transportation system improvements other than projects on Interstate 95.

Sec. 291. Subsection (f) of section 13b-79p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(f) The commissioner is authorized to enter into grant and cost-sharing agreements with local governments, transit districts **[**, regional planning agencies**]** and regional councils of governments in connection with the implementation of projects funded pursuant to subsections (a) and (c) of this section.

Sec. 292. Section 16-243z of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(a) For purposes of this section, **[**"regional planning agency" and "regional council of elected officials" have the same meanings as provided in section 4-124i,**]** "regional council of governments" has the same meaning as "council" in section 4-124i, as amended by this act, and "electric company" and "electric distribution company" have the

same meanings as provided in section 16-1.

(b) Upon the request of the geographic information systems or geospatial information systems analyst or coordinator, or any equivalent official, of any municipality or **[**of any regional planning agency, regional council of elected officials or**]** regional council of governments, an electric company or electric distribution company shall provide to such analyst, coordinator or official any geographic information systems or geospatial information systems data for such electric or electric distribution company's service area identifying utility pole data for poles owned or jointly owned by such company in such municipality or the area served by such **[**regional planning agency, regional council of elected officials or**]** regional council of governments. Such data shall include pole ownership, identification number, XY coordinate location, pole height, pole classification and wattage size of street lights or post lights.

(c) Upon the request of a municipality for public safety reasons during an emergency, an electric company or electric distribution company may provide to such municipality the location of electric service accounts that are coded by such company as medical hardship accounts within such municipality.

(d) Prior to receipt of data from an electric company or electric distribution company under this section, a municipality **[**, regional planning agency, regional council of elected officials**]** or regional council of governments shall demonstrate to such company that it has implemented appropriate procedures to protect the confidentiality of the information. Any data provided by such company to a municipality **[**, regional planning agency, regional council of elected officials**]** or regional council of governments pursuant to this section shall be used by such entity for internal use only, and shall not be publicly disclosed by the municipality **[**, regional planning agency, regional council of elected officials**]** or regional council of governments

or be subject to any public disclosure requirement without the prior consent of the electric company or electric distribution company, as applicable, and shall be exempt from disclosure under the Freedom of Information Act, as defined in section 1-200.

Sec. 293. Section 16a-4a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

The Office of Policy and Management shall:

(1) Formulate and prepare state-wide or interregional plans for the physical, social and economic development of the state. Such plans may be prepared jointly or in consultation with other state, interstate, federal, regional or local agencies. Such plans may include, but need not be limited to, (A) demographic projections, (B) economic projections, (C) land use and water considerations, (D) transportation requirements, (E) environmental considerations, (F) energy capabilities and requirements, (G) public facilities, (H) labor needs and skills, (I) educational objectives, (J) housing needs and (K) health needs;

(2) Receive for review, information and recommendations, plans proposed by any state agency acting alone or jointly **[**which**]** that has among its duties planning responsibilities relating to those considerations set forth in subdivision (1) of this section or similar subjects;

(3) Coordinate regional and state planning activities and accomplish such planning review activities as may be necessary;

(4) Designate or redesignate logical planning regions within the state **[**and promote and assist in the promotion and continuation of regional planning agencies under chapter 127. Such planning regions shall be redesignated**]** in accordance with section 16a-4c, as amended by this act;

(5) Provide for technical aid and the administration of financial assistance to **[**regional planning agencies established under chapter 127 or any regional council of elected officials in any region without a regional planning agency or**]** any regional council of governments organized under sections 4-124i to 4-124p, inclusive, as amended by this act, under such terms and conditions as may be agreed upon by the secretary;

(6) Accept from any source funds, revenue or other consideration available to this state for interstate, state, regional, interregional or area planning activities or projects and provide for the administration of such funds, revenues or other consideration;

(7) Make available to the public, for a reasonable fee, all reports, testing results and other material developed or procured as a result of activities authorized by this section, section 16a-14, as amended by this act, and section 16a-14b; and

(8) Provide technical assistance to municipalities that want to aggregate electric generation services.

Sec. 294. Section 22-26j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

The Department of Agriculture shall establish and administer a farm viability matching grant program to any agricultural not-for-profit organization, municipality, group of municipalities, **[**regional planning agency organized under the provisions of chapter 127, regional council of elected officials organized under the provisions of chapter 50,**]** regional council of governments organized under the provisions of sections 4-124i to 4-124p, inclusive, as amended by this act, or group of municipalities **[**which**]** that have established a regional interlocal agreement pursuant to sections 7-339a to 7-339*l*, inclusive, to further agricultural viability. Such grants may be used for the

following purposes: (1) Local capital projects that foster agricultural viability, including, but not limited to, processing facilities and farmers' markets; (2) the development and implementation of agriculturally-friendly land use regulations and local farmland protection strategies that sustain and promote local agriculture; and (3) the development of new marketing programs and venues through or in which a majority of products sold are grown in the state.

Sec. 295. Section 22a-134*l* of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

The Commissioner of Energy and Environmental Protection may, within available appropriations, make a grant or loan to any municipality, group of municipalities, **[**regional planning agency organized under the provisions of chapter 127, regional council of elected officials organized under the provisions of chapter 50,**]** regional council of **[**government**]** governments organized under the provisions of sections 4-124i to 4-124p, inclusive, as amended by this act, or group of municipalities **[**which**]** that have established a regional interlocal agreement pursuant to sections 7-339a to 7-339*l*, inclusive, for the planning of regional facilities for the purpose of collection and disposal of household hazardous waste. The commissioner may adopt regulations, in accordance with the provisions of chapter 54, to carry out the purposes of this section.

Sec. 296. Section 22a-134m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

The Commissioner of Energy and Environmental Protection shall coordinate a program of chemical disposal days for the collection and disposal of hazardous household chemicals in any municipality or group of municipalities **[**, in the area of operation of any regional planning agency organized under the provisions of chapter 127, in the planning region of any regional council of elected officials organized

under the provisions of chapter 50,**]** or in the participating towns in any regional council of **[**government**]** governments organized under the provisions of sections 4-124i to 4-124p, inclusive, as amended by this act. The commissioner shall develop guidelines for such chemical disposal days.

Sec. 297. Subsection (a) of section 22a-134n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(a) The Commissioner of Energy and Environmental Protection may, within available appropriations, make a grant to any municipality, any group of municipalities **[**, any regional planning agency organized under the provisions of chapter 127, any regional council of elected officials organized under the provisions of chapter 50,**]** or any regional council of **[**government**]** governments organized under the provisions of sections 4-124i to 4-124p, inclusive, as amended by this act, sponsoring a chemical disposal day. The grant shall be not more than fifty per cent of the cost to the grantee of conducting such chemical disposal day. An application for a grant shall include a plan for a chemical disposal day which shall comply with any guidelines developed by the commissioner pursuant to section 22a-134m, as amended by this act.

Sec. 298. Subsection (a) of section 22a-134o of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(a) Any municipality, any group of municipalities **[**, any regional planning agency organized under the provisions of chapter 127, any regional council of elected officials organized under the provisions of chapter 50,**]** or any regional council of **[**government**]** governments organized under the provisions of sections 4-124i to 4-124p, inclusive, as amended by this act, sponsoring a chemical disposal day shall enter

into a contract with a hazardous waste transporter or waste collection company licensed under section 22a-454 to dispose of the hazardous waste collected during a chemical disposal day. Such contract shall (1) make the transporter or company, upon receipt of hazardous waste, liable for any violation of a federal or state statute concerning the generation, transportation or disposal of hazardous waste, (2) identify the transporter or company as the generator of hazardous waste collected and (3) make the transporter or company responsible for providing material and equipment for handling, labeling, loading and transporting hazardous waste.

Sec. 299. Section 22a-223 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

The Commissioner of Energy and Environmental Protection may, from proceeds of the sale of state bonds allocated by the State Bond Commission to the Department of Energy and Environmental Protection in accordance with subdivision (8) of subsection (e) of section 2 of special act 82-46, provide funds to any municipality, any group of municipalities **[**, any regional planning agency organized under the provisions of chapter 127, any regional council of elected officials organized under the provisions of chapter 50**]** or any regional council of governments organized under the provisions of sections 4-124i to 4-124p, inclusive, as amended by this act, for a preliminary feasibility study of an energy recovery system or an incinerator. Any such study shall be prepared in consultation with said commissioner and shall include but not be limited to an investigation of the markets for the system, identification of the waste stream, cost estimates of system construction and the cost per ton of solid waste disposal. The amount of such funds granted for any single study shall not exceed eighty per cent of the total cost of such study and in no event shall the total amount granted for any single study exceed twenty-five thousand dollars.

Sec. 300. Section 22a-353 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

The Secretary of the Office of Policy and Management or his or her designee shall be the contractor for the purposes of sections 22a-352 to 22a-354, inclusive, and may engage consultants or arrange for other technical assistance to implement the work program, and within the limitations of the budget, developed under subdivision (1) of subsection (a) of section 22a-352. The Secretary of the Office of Policy and Management, or his or her designee, may make grants to any **[**regional planning agency established under authority of chapter 127, any regional council of elected officials in any region where there is no regional planning agency or any**]** regional council of governments organized under sections 4-124i to 4-124p, inclusive, as amended by this act, for the purpose of preparing regional plans for water and sewer facilities. Such grants may cover retroactively work initiated by a regional planning agency after January 1, 1967. The Secretary of the Office of Policy and Management or his or her designee shall apply for any and all funds available from the federal government to support such planning work and shall see that regional **[**planning agencies, regional councils of elected officials or**]** councils of **[**government**]** governments receiving state grants take similar advantage of available federal funds in order to reduce expenditure of funds appropriated under section 22a-354, provided utilization of such federal funds shall not unduly delay the conduct of said study.

Sec. 301. Subsection (b) of section 23-101 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(b) There is established a greenways small grants program which shall be administered by the Commissioner of Energy and Environmental Protection. The commissioner may, within available appropriations, make a grant to any municipality **[**, regional planning

agency organized under the provisions of chapter 127, any regional council of elected officials organized under the provisions of chapter 50,**]** or any regional council of **[**government**]** governments organized under the provisions of sections 4-124i to 4-124p, inclusive, as amended by this act, and nongovernmental organizations for planning, design and implementation of greenway projects. Any grant shall be not more than five thousand dollars and the total amount of all grants under this subsection shall not exceed fifty thousand dollars in any fiscal year. Land acquisition costs shall not be eligible for reimbursement with grants under this section.

Sec. 302. Subdivision (1) of section 25-68j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(1) "Eligible applicant" means any municipality **[**, regional planning agency organized under the provisions of chapter 127, any regional council of elected officials organized under the provisions of chapter 50,**]** or any regional council of **[**government**]** governments organized under the provisions of sections 4-124i to 4-124p, inclusive, as amended by this act;

Sec. 303. Subsection (e) of section 25-204 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(e) After adoption pursuant to subsection (d) of this section of an inventory, statement of objectives and map, the river committee shall prepare a report on all federal, state and municipal laws, plans, programs and proposed activities which may affect the river corridor defined in such map. Such laws shall include regulations adopted pursuant to chapter 440 and zoning, subdivision and site plan regulations adopted pursuant to section 8-3. Such plans shall include plans of conservation and development adopted pursuant to section 8-

23, as amended by this act, the state plan for conservation and development, water utility supply plans adopted pursuant to section 25-32d, coordinated water system plans adopted pursuant to section 25-33h, municipal open space plans, the commissioner's fish and wildlife plans, the master transportation plan adopted pursuant to section 13b-15, **[**plans prepared by regional planning agencies pursuant to section 8-31a,**]** and publicly-owned wastewater treatment facility plans. State and regional agencies shall, within available resources, assist the river committee in identifying such laws, plans, programs and proposed activities. The report to be prepared pursuant to this section shall identify any conflicts between such federal, state, regional and municipal laws, plans, programs and proposed activities and the river committee's objectives for river corridor protection and preservation as reflected in the statement of objectives. If conflicts are identified, the river committee shall notify the applicable state, regional or municipal agencies and such agencies shall, within available resources, attempt with the river commission to resolve such conflicts.

Sec. 304. Subsection (b) of section 32-1c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(b) The Commissioner of Economic and Community Development may make available technical and financial assistance and advisory services to any appropriate agency, authority, **[**or**]** commission or council for planning and other functions pertinent to economic development provided any financial assistance to a **[**regional planning agency or a regional council of elected officials**]** regional council of governments shall have the prior approval of the Secretary of the Office of Policy and Management or his designee. Financial assistance shall be rendered upon such contractual arrangements as may be agreed upon by the commissioner and any such agency, authority, **[**or**]**

commission or council in accordance with their respective needs, and the commissioner may determine the qualifications of personnel or consultants to be engaged for such assistance.

Sec. 305. Subsection (a) of section 32-7 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(a) The department is authorized to (1) promote and assist the formation of municipal or regional economic development commissions under sections 7-136 and 7-137, or any other provision of the general statutes or any special act; and (2) make available technical and financial assistance to any municipal or regional economic development commission, regional economic development corporation **[**, regional planning agency organized under the provisions of chapter 127,**]** or a regional council of governments organized under sections 4-124i to 4-124p, inclusive, as amended by this act. **[**, or any regional council of elected officials organized under the provisions of chapter 50 for planning and implementation of regional economic development.**]** Such financial assistance may be provided to expand or establish the capacity for planning and implementation of regional economic development, including, but not limited to, business retention and recruitment, infrastructure enhancement, labor force development and financial credit availability. Financial assistance may be used for strategic economic development plans, establishment of regional economic databases, regional marketing for business retention and recruitment, coordination of economic development efforts with regional, local, state and federal agencies, surveys, land use studies, site development plans and for any other functions of economic development commissions as set forth in said sections 7-136 and 7-137 or any other provision of the general statutes or any special act.

Sec. 306. Subsection (p) of section 32-23d of the general statutes is

repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(p) **[**"Regional planning agency"**]** "Regional council of governments" means a regional **[**planning agency**]** council of governments created under **[**chapter 127**]** section 4-124j, as amended by this act.

Sec. 307. Section 32-23e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

To accomplish the purposes of the corporation, which are hereby determined to be public purposes for which public funds may be expended, and in addition to any other powers provided by law, the corporation shall have power to: (1) Determine the location and character of any project to be financed under the provisions of said chapters and sections, provided any financial assistance shall be approved in accordance with written procedures prepared pursuant to subdivision (14) of this section; (2) purchase, receive, by gift or otherwise, lease, exchange, or otherwise acquire, and construct, reconstruct, improve, maintain, equip and furnish one or more projects, including all real and personal property which the corporation may deem necessary in connection therewith, and to enter into a contract with a person therefor upon such terms and conditions as the corporation shall determine to be reasonable, including but not limited to reimbursement for the planning, designing, financing, construction, reconstruction, improvement, equipping, furnishing, operation and maintenance of the project and any claims arising therefrom and establishment and maintenance of reserve and insurance funds with respect to the financing of the project; (3) insure any or all payments to be made by the borrower under the terms of any agreement for the extension of credit or making of a loan by the corporation in connection with any economic development project to be financed, wholly or in part, through the issuance of bonds or mortgage payments of any mortgage which is given by a mortgagor to

the mortgagee who has provided the mortgage for an economic development project upon such terms and conditions as the corporation may prescribe and as provided herein, and the faith and credit of the state are pledged thereto; (4) in connection with the insuring of payments of any mortgage, request for its guidance a finding of the municipal planning commission, or, if there is no planning commission, a finding of the municipal officers, of the municipality in which the economic development project is proposed to be located, or of the regional **[**planning agency**]** council of governments of which such municipality is a member, as to the expediency and advisability of the economic development project; (5) sell or lease to any person, all or any portion of a project, purchase from eligible financial institutions mortgages with respect to economic development projects, purchase or repurchase its own bonds, and sell, pledge or assign to any person any such bonds, mortgages, or other loans, notes, revenues or assets of the corporation, or any interest therein, for such consideration and upon such terms as the corporation may determine to be reasonable; (6) mortgage or otherwise encumber all or any portion of a project whenever it shall find such action to be in furtherance of the purposes of said chapters and sections; (7) enter into agreements with any person, including prospective mortgagees and mortgagors, for the purpose of planning, designing, constructing, acquiring, altering and financing projects, providing liquidity or a secondary market for mortgages or other financial obligations incurred with respect to facilities which would qualify as a project under this chapter, purchasing loans made by regional corporations under section 32-276, or for any other purpose in furtherance of any other power of the corporation; (8) grant options to purchase or renew a lease for any of its projects on such terms as the corporation may determine to be reasonable; (9) employ or retain attorneys, accountants and architectural, engineering and financial consultants and such other employees and agents and to fix their compensation and to employ the Connecticut Development Credit Corporation on a cost basis as it shall

deem necessary to assist it in carrying out the purposes of said corporation legislation; (10) accept from a federal agency loans, grants or loan guarantees or otherwise participate in any loan, grant, loan guarantee or other financing or economic or project development program of a federal agency in furtherance of, and consistent with, the purposes of the corporation, and enter into agreements with such agency respecting any such loans, grants, loan guarantees or federal agency programs; (11) provide tenant lease guarantees and performance guarantees, invest in, extend credit or make loans to any person for the planning, designing, financing, acquiring, constructing, reconstructing, improving, expanding, continuing in operation, equipping and furnishing of a project and for the refinancing of existing indebtedness with respect to any facility or part thereof which would qualify as a project in order to facilitate substantial improvements thereto, which guarantees, investments, credits or loans may be secured by loan agreements, lease agreements, installment sale agreements, mortgages, contracts and all other instruments or fees and charges, upon such terms and conditions as the corporation shall determine to be reasonable in connection with such loans, including provision for the establishment and maintenance of reserve and insurance funds and in the exercise of powers granted in this section in connection with a project for such person, to require the inclusion in any contract, loan agreement or other instrument, such provisions for the construction, use, operation and maintenance and financing of a project as the corporation may deem necessary or desirable; (12) in connection with any application for assistance under said corporation legislation, or commitments therefor, to make and collect such fees and charges as the corporation shall determine to be reasonable; (13) adopt procedures, in accordance with the provisions of section 1-121, to carry out the purposes of the corporation, which may give priority to applications for financial assistance based upon the extent the project will materially contribute to the economic base of the state by creating or retaining jobs, providing increased wages or benefits to employees,

promoting the export of products or services beyond the boundaries of the state, encouraging innovation in products or services, encouraging defense-dependent business to diversify to nondefense production, promoting standards of participation adopted by the Connecticut partnership compact pursuant to section 33-374g of the general statutes, revision of 1958, revised to 1991, or will otherwise enhance existing activities that are important to the economic base of the state, provided regulation-making proceedings commenced before January 1, 1989, shall be governed by sections 4-166 to 4-174, inclusive; (14) maintain an office at such place or places within the state as it may designate; (15) when it becomes necessary or feasible for the corporation to safeguard itself from losses, acquire, purchase, manage and operate, hold and dispose of real and personal property, take assignments of rentals and leases and make and enter into all contracts, leases, agreements and arrangements necessary or incidental to the performance of its duties; (16) in order to further the purposes of the corporation, or to assure the payment of the principal and interest on bonds or notes of the corporation or to safeguard the mortgage insurance fund, purchase, acquire and take assignments of notes, mortgages and other forms of security and evidences of indebtedness, purchase, acquire, attach, seize, accept or take title to any project by conveyance or, by foreclosure, and sell, lease or rent any project for a use specified in said chapters and sections or in this chapter; (17) do, or delegate, any and all things necessary or convenient to carry out the purposes and to exercise the powers given and granted to the corporation; (18) to accept from the department: (A) Financial assistance, (B) revenues or the right to receive revenues with respect to any program under the supervision of the department, and (C) loan assets or equity interests in connection with any program under the supervision of the department; to make advances to and reimburse the department for any expenses incurred or to be incurred by it in the delivery of such assistance, revenues, rights, assets or amounts; to enter into agreements for the delivery of services by the corporation, in

consultation with the department and the Connecticut Housing Finance Authority, to third parties which agreements may include provisions for payment by the department to the corporation for the delivery of such services; and to enter into agreements with the department or with the Connecticut Housing Finance Authority for the sharing of assistants, agents and other consultants, professionals and employees, and facilities and other real and personal property used in the conduct of the corporation's affairs; and (19) to transfer to the department: (A) Financial assistance, (B) revenues or the right to receive revenues with respect to any program under the supervision of the corporation, and (C) loan assets or equity interests in connection with any program under the supervision of the corporation, provided the transfer of such financial assistance, revenues, rights, assets or interests is determined by the corporation to be practicable, within the constraints and not inconsistent with the fiduciary obligations of the corporation imposed upon or established upon the corporation by any provision of the general statutes, the corporation's bond resolutions or any other agreement or contract of the authority and to have no adverse effect on the tax-exempt status of any bonds of the corporation or the state.

Sec. 308. Subsection (h) of section 32-222 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(h) "Eligible applicant" means any for-profit or nonprofit organization, or any combination thereof, any municipality, regional **[**planning agency**]** council of governments or any combination thereof and further provided, in the case of a loan made by Connecticut Innovations, Incorporated in which the department purchases a participation interest, "eligible applicant" means the for-profit or nonprofit organization, or any combination thereof, that will receive the proceeds of such loan;

Sec. 309. Subsections (b) and (c) of section 32-224 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(b) The implementing agency may initiate a municipal development project by preparing and submitting a development plan to the commissioner. Such plan shall meet an identified public need and include: (1) A legal description of the real property within the boundaries of the project area; (2) a description of the present condition and uses of such real property; (3) a description of the process utilized by the agency to prepare the plan and a description of alternative approaches considered to achieve project objectives; (4) a description of the types and locations of land uses or building uses proposed for the project area; (5) a description of the types and locations of present and proposed streets, sidewalks and sanitary, utility and other facilities and the types and locations of other proposed project improvements; (6) statements of the present and proposed zoning classification and subdivision status of the project area and the areas adjacent to the project area; (7) a plan for relocating project area occupants; (8) a financing plan; (9) an administrative plan; (10) an environmental analysis, marketability and proposed land use study, or building use study if required by the commissioner; (11) appraisal reports and title searches if required by the commissioner; (12) a description of the public benefit of the project, including, but not limited to, (A) the number of jobs which the implementing agency anticipates would be created or retained by the project, (B) the estimated property tax benefits, (C) the number and types of existing housing units in the municipality in which the project would be located, and in contiguous municipalities, which would be available to employees filling such jobs, (D) a general description of infrastructure improvements, including public access, facilities or use, that the implementing agency anticipates may be needed to implement the development plan, (E) a general description of the implementing

agency's goals for blight remediation or, if known, environmental remediation, (F) a general description of any aesthetic improvements that the implementing agency anticipates may be generated by the project, (G) a general description of the project's intended role in increasing or sustaining market value of land in the municipality, (H) a general description of the project's intended role in assisting residents of the municipality to improve their standard of living, and (I) a general statement of the project's role in maintaining or enhancing the competitiveness of the municipality; (13) a finding that (A) the land and buildings within the boundaries of the project area will be used principally for manufacturing or other economic base business purposes or business support services; (B) the plan is in accordance with the plan of conservation and development for the municipality, if any, adopted by its planning commission under section 8-23, as amended by this act, and the plan of development of the regional **[**planning agency**]** council of governments adopted under section 8-35a, as amended by this act, if any, for the region within which the municipality is located; (C) the plan was prepared giving due consideration to the state plan of conservation and development adopted under chapter 297 and other state-wide planning program objectives of the state or state agencies as coordinated by the Secretary of the Office of Policy and Management; and (D) the project will contribute to the economic welfare of the municipality and the state and that to carry out and administer the project, public action under sections 32-220 to 32-234, inclusive, is required; and (14) a preliminary statement describing the proposed process for acquiring each parcel of real property, including findings that (A) public benefits resulting from the plan will outweigh any private benefits; (B) existing use of the real property cannot be feasibly integrated into the overall plan for the project; (C) acquisition by eminent domain is reasonably necessary to successfully achieve the objectives of such plan; and (D) the plan is not for the primary purpose of increasing local tax revenues. The provisions of this subsection with respect to submission of a

development plan to and approval by the commissioner and with respect to a finding that the plan was prepared giving due consideration to the state plan of conservation and development and state-wide planning program objectives of the state or its agencies shall not apply to a project for which no financial assistance has been given and no application for financial assistance is to be made under section 32-223. Any plan that has been prepared under chapters 130, 132 or 588a may be submitted by the implementing agency to the legislative body of the municipality and to the commissioner in lieu of a plan initiated and prepared in accordance with this section, provided all other requirements of sections 32-220 to 32-234, inclusive, for obtaining the approval of the commissioner of the development plan are satisfied. Any action taken in connection with the preparation and adoption of such plan shall be deemed effective to the extent such action satisfies the requirements of said sections.

(c) (1) No plan shall be adopted unless the planning commission of the municipality finds that the plan is in accord with the plan of development, if any, for the municipality and the regional **[**planning agency, if any,**]** council of governments organized under **[**chapter 127**]** section 4-124j, as amended by this act, for the region within which such municipality is located finds that such plan is in accord with the plan of development, if any, for such region. If the regional **[**planning agency**]** council of governments fails to make a finding concerning the plan within thirty-five days of receipt thereof, by such **[**agency**]** council, it shall be presumed that such **[**agency**]** council does not disapprove of the plan. The implementing agency shall hold at least one public hearing on the plan and shall cause notice of the time, place, and subject of any public hearing to be published at least once in a newspaper of general circulation in the municipality not less than one week nor more than three weeks prior to the date of such public hearing. At least thirty-five days prior to the public hearing, the implementing agency shall post the plan on the Internet web site of the

implementing agency, if any. Upon adoption of the plan the implementing agency shall submit the plan to the legislative body of the municipality for approval or disapproval. Any approval by the implementing agency and legislative body of the municipality made under this section shall specifically provide for approval of any findings contained therein. After approval of the plan by the legislative body of the municipality, the plan shall be submitted to the commissioner for his approval. If the commissioner requires a substantial modification of the plan as a condition of approval, the plan shall be subject to a public hearing and approval by the implementing agency and the legislative body of the municipality in accordance with the provisions of this subsection.

(2) The plan shall be effective for a period of ten years after the date of approval and may be amended in accordance with this section. The legislative body shall review the plan at least once every ten years after the initial approval, and shall reapprove the plan or an amended plan at least once every ten years after the initial approval in accordance with this section in order for the plan or amended plan to remain in effect. With respect to a development plan for a project that is funded in whole or in part by federal funds, the provisions of this subdivision shall not apply to the extent that such provisions are prohibited by federal law.

Sec. 310. Subdivision (2) of section 32-327 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(2) "Agency" means any regional economic development commission formed under sections 7-136 and 7-137, other regional development commission or corporation formed under any other provision of the general statutes or any special act, **[**any regional planning agency organized under the provisions of chapter 127,**]** or any regional council of governments organized under sections 4-124i

to 4-124p, inclusive, as amended by this act, **[**or any regional council of elected officials organized under the provisions of chapter 50 for planning and implementation of regional economic development,**]** except that for purposes of financial assistance for greenways projects, "agency" means a municipality or other organizations.

Sec. 311. Section 4-124p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

Each regional council of governments established under the provisions of sections 4-124i to 4-124p, inclusive, as amended by this act, is authorized to receive for its own use and purposes any funds from any source including the state and federal governments and including bequests, gifts and contributions made by any individual, corporation or association. Any town, city or borough participating in a regional council of governments shall annually appropriate funds for the expenses of such council in the performance of its purposes. Such funds shall be appropriated and paid in accordance with a dues formula established by the regional council of governments. Such council may withhold any services it deems advisable from any town, city or borough which has failed to pay such dues. Within the amount so received, a council may engage employees, and contract with professional consultants, municipalities, the state and the federal governments, other regional councils of governments **[**, regional councils of elected officials, regional planning agencies**]** and other intertown, regional or metropolitan agencies, or with any one or more of them, and may enter into contracts from time to time to carry out its purposes. Any such contract shall be approved by action of the regional council of governments in a manner prescribed by the council. **[**Any regional council of governments may enter into a contract to carry out its purpose with any other regional council of governments, any regional council of elected officials, established under sections 4-124c to 4-124h, inclusive, or any regional planning agency formed

under section 8-31a.**]** The accounts of any regional council of governments shall be subject to an annual audit under the provisions of chapter 111 and such council shall file an annual report with the clerks of its member towns, cities or boroughs, with planning commissions, if any, of members, and with the Secretary of the Office of Policy and Management, or his designee.

Sec. 312. (NEW) (*Effective January 1, 2015*) (a) (1) Wherever the term "regional planning agency" is used in the following general statutes, the term "regional council of governments" shall be substituted in lieu thereof; and (2) wherever the term "regional planning agencies" is used in the following general statutes, the term "regional councils of governments" shall be substituted in lieu thereof: 8-35b, 8-36c, 8-164, 8-166, 8-189, 8-336f, 8-384, 13b-38a, 13b-79*ll*, 16-32f, 16-50*l*, 16-358, 16a-28, 16a-35c, 22-26dd, 22a-102, 22a-118, 22a-137, 22a-207, 22a-211, 22a-352, 23-8, 25-33e, 22-33f to 25-33h, inclusive, 25-68d, 25-102qq and 25-233.

(b) The Legislative Commissioners' Office shall, in codifying the provisions of this section, make such technical, grammatical and punctuation changes as are necessary to carry out the purposes of this section.

Sec. 313. Subsection (c) of section 250 of this act is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(c) **[**On**]** Beginning on January 1, **[**2014**]** 2015, and annually thereafter, each **[**regional planning agency, regional council of elected officials and**]** regional council of governments **[**,**]** shall submit **[**a**]** an annual report to the Secretary of the Office of Policy and Management and to the joint standing committee of the General Assembly having cognizance of matters relating to municipalities. Such annual report shall include the following: (1) A description of any regional program, project or initiative provided or planned by such regional council of governments; (2) a description of any expenditure, including the

source of funding, spent on each such regional program, project or initiative and a cost-benefit analysis for such expenditure; (3) a list of existing services provided by a municipality or by the state that, in the opinion of the regional council of governments, could be transferred to such regional council of governments and any efficiency associated with such transfer; (4) a discussion and review of the performance of any regional program, project or initiative, including any recommendations for legislative action; and (5) specific annual goals and objectives and quantifiable outcome measures for each program, project or initiative administered or provided by such regional council of governments.

Sec. 314. Section 16a-4 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

The Secretary of the Office of Policy and Management shall employ, subject to the provisions of chapter 67, such staff as is required for the proper discharge of duties of the office as set forth in this chapter and sections 4-5, 4-124*l*, as amended by this act, 8-3b, as amended by this act, **[**8-32a, 8-33a,**]** 8-35a, as amended by this act, and 8-189, subsection (b) of section 8-206 and sections 16a-20, 16a-102, 22a-352 and 22a-353, as amended by this act. The secretary may adopt, pursuant to chapter 54, such regulations as are necessary to carry out the purposes of this chapter.

Sec. 315. Section 16a-6 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

Each department, office, board, commission, council or other agency of the state and each officer or employee shall cooperate with the Commissioner of Energy and Environmental Protection and shall furnish him such information, personnel and assistance as may be necessary or appropriate in the discharge of the responsibilities of said commissioner and the board under this chapter and sections 4-5, 4-

124*l*, as amended by this act, 4-124p, as amended by this act, 8-3b, as amended by this act, **[**8-32a, 8-33a,**]** 8-35a, as amended by this act, and 8-189, subsection (b) of section 8-206 and sections 16a-20, 16a-102, 22a-352 and 22a-353, as amended by this act. The Commissioner of Motor Vehicles shall require each person applying for a license under section 14-319 to submit in his application the information which persons registering under section 16a-22d are required to submit. The Commissioner of Motor Vehicles shall furnish the Commissioner of Energy and Environmental Protection with such information.

Sec. 316. Section 16a-14 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

In addition to the duties set forth in any other law, the Commissioner of Energy and Environmental Protection may: (1) Be designated as the state official to implement and execute any federal program, law, order, rule or regulation related to the allocation, rationing, conservation, distribution or consumption of energy resources, (2) investigate any complaint concerning the violation of any federal or state statute, rule, regulation or order pertaining to pricing, allocation, rationing, conservation, distribution or consumption of energy resources and shall transmit any evidence gathered by such investigation to the proper federal or state authorities, (3) coordinate all state and local government programs for the allocation, rationing, conservation, distribution and consumption of energy resources, (4) cooperate with the appropriate authorities of the United States government, or other state or interstate agencies with respect to allocation, rationing, conservation, distribution and consumption of energy resources, (5) conduct programs of public education regarding energy conservation, (6) carry out a program of studies, hearings, inquiries, surveys and analyses necessary to carry out the purposes of this chapter and sections **[**4-124c,**]** 4-124i, as amended by this act, 4-124*l*, as amended by this act, 4-124p, as

amended by this act, 8-3b, as amended by this act, **[**8-31a, 8-32a, 8-33a,**]** 8-35a, as amended by this act, **[**8-37a**]** and 8-189, subsection (b) of section 8-206 and sections 16a-20, 16a-102, 22a-352 and 22a-353, as amended by this act, provided if an individual or business furnishing commercial or financial information concerning such individual or business requests in writing at the time such information is furnished that it be treated as confidential proprietary information, such information, to the extent that it is limited to (A) volume of sales, shipments, receipts and exchanges of energy resources, (B) inventories of energy resources, and (C) local distribution patterns of energy resources, shall be exempt from the provisions of subsection (a) of section 1-210, (7) enter into contracts with any person to do all things necessary or convenient to carry out the functions, powers and duties of the commissioner and the Department of Energy and Environmental Protection under this chapter and sections 4-5, 4-124*l*, as amended by this act, 4-124p, as amended by this act, 8-3b, as amended by this act, **[**8-32a, 8-33a,**]** 8-35a, as amended by this act, and 8-189, subsection (b) of section 8-206 and sections 16a-20, 16a-102, 22a-352 and 22a-353, as amended by this act, (8) adopt regulations, in accordance with chapter 54, to establish standards for solar energy systems, including experimental systems, which offer practical alternatives to the use of conventional energy with regard to current technological feasibility and the climate of this state, and (9) undertake such other duties and responsibilities as may be delegated by other state statutes or by the Governor.

Sec. 317. Subsection (a) of section 22a-285a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2015*):

(a) Notwithstanding any provision of the general statutes or any special act or municipal charter, on or after December 1, 1990, the Connecticut Resources Recovery Authority, acting by itself or through

a regional resources recovery authority, may establish an ash residue disposal area on all or part of not more than two sites east of the Connecticut River and two sites west of the Connecticut River, provided such sites (1) are not owned or operated by the authority on July 5, 1989, and (2) are identified in table 8 of the report prepared pursuant to section 22a-228b entitled "Identification of Potential Ash Residue Disposal Sites" and dated January, 1989, or determined by the Commissioner of Energy and Environmental Protection to be capable of meeting the siting criteria described in said report. No site shall be located within four miles of any ash residue disposal area owned or operated by the authority on January 1, 1989, or in any municipality in which a resources recovery facility and an ash residue disposal area are located and not more than one site shall be established in any one regional planning area as defined by the Secretary of the Office of Policy and Management pursuant to section **[**8-31a**]** 16a-4c, as amended by this act.

Sec. 318. Subparagraph (K) of subdivision (1) of section 12-408 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(K) For calendar quarters ending on or after September 30, 2011, the commissioner shall deposit into the regional **[**performance**]** planning incentive account, established pursuant to section 4-66k, as amended by this act, six and seven-tenths per cent of the amounts received by the state from the tax imposed under subparagraph (B) of this subdivision and ten and seven-tenths per cent of the amounts received by the state from the tax imposed under subparagraph (G) of this subdivision.

Sec. 319. Subparagraph (J) of subdivision (1) of section 12-411 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(J) For calendar quarters ending on or after September 30, 2011, the commissioner shall deposit into the regional **[**performance**]** planning incentive account, established pursuant to section 4-66k, as amended by this act, six and seven-tenths per cent of the amounts received by the state from the tax imposed under subparagraph (B) of this subdivision and ten and seven-tenths per cent of the amounts received by the state from the tax imposed under subparagraph (G) of this subdivision.

Sec. 320. (*Effective from passage*) (a) There is established a task force to study the creation of a state-wide health insurance pool in which any school bus driver employed by a local or regional school district or a private company that provides bussing services for a local or regional school district may be enrolled. Such study shall include, but not be limited to, an examination of the estimated state and municipal fiscal impact of the creation of such an insurance pool.

(b) The task force shall consist of the following members:

(1) The chairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to insurance, education and labor or their designees;

(2) The Insurance Commissioner, the Commissioner of Education, the Labor Commissioner and the Healthcare Advocate or their designees; and

(3) One representative of the health insurance industry, appointed by the majority leader of the Senate.

(c) All appointments to the task force shall be made not later than thirty days after the effective date of this section. Any vacancy shall be filled by the appointing authority.

(d) The speaker of the House of Representatives and the president

pro tempore of the Senate shall select the chairpersons of the task force from among the members of the task force. Such chairpersons shall schedule the first meeting of the task force, which shall be held not later than sixty days after the effective date of this section.

(e) The administrative staff of the joint standing committee of the General Assembly having cognizance of matters relating to insurance shall serve as administrative staff of the task force.

(f) Not later than January 1, 2014, the task force shall submit a report on its findings and recommendations to the joint standing committees of the General Assembly having cognizance of matters relating to insurance, education and labor and public employees, in accordance with the provisions of section 11-4a of the general statutes. The task force shall terminate on the date that it submits such report or January 1, 2014, whichever is later.

Sec. 321. (*Effective from passage*) (a) There is established a Uniform Regional School Calendar Task Force to develop guidelines for a uniform regional school calendar for use by each regional educational service center, established in accordance with section 10-66a of the general statutes, in the development of uniform regional school calendars. Such guidelines for a uniform regional school calendar shall include, but not be limited to, (1) at least one hundred eighty days of actual school sessions during each school year, (2) a uniform start date, (3) uniform days for professional development and in-service training for certified employees, pursuant to sections 10-148a and 10-220a of the general statutes, and (4) not more than three uniform school vacation periods during each school year, not more than two of which shall be a one week school vacation period and one of which shall be during the summer.

(b) The task force shall consist of the following members:

(1) A representative of the American Federation of Teachers, who shall be appointed by the executive director or president of said federation or such director's or president's designee;

(2) A representative of the Connecticut Association of School Administrators, who shall be appointed by the executive director or president of said association or such director's or president's designee;

(3) A representative of the Connecticut Education Association, who shall be appointed by the executive director or president of said association or such director's or president's designee;

(4) A representative of the Connecticut Association of Boards of Education, who shall be appointed by the executive director or president of said association or such director's or president's designee;

(5) A representative of the Connecticut Association of Public School Superintendents, who shall be appointed by the executive director or president of said association or such director's or president's designee;

(6) A representative of the Connecticut Parent Teacher Student Association, who shall be appointed by the executive director or president of said association or such director's or president's designee;

(7) A representative of each regional educational service center, who shall be appointed by the executive director of such center or such director's designee;

(8) A representative of the school transportation service company that serves the largest number of public school students in Connecticut, who shall be appointed by the executive director or president of such company or such director's or president's designee;

(9) A representative of the Connecticut Catholic Conference, who shall be appointed by the executive director or president of said

conference, or such director's or president's designee;

(10) The Commissioner of Education, or the commissioner's designee;

(11) Two members of the joint standing committee of the General Assembly having cognizance of matters relating to education, one of whom shall be appointed by the chairpersons of such committee and one of whom shall be appointed by the ranking members of such committee; and

(12) Two members of the joint standing committee of the General Assembly having cognizance of matters relating to planning and development, one of whom shall be appointed by the chairpersons of such committee and one of whom shall be appointed by the ranking members of such committee.

(c) All appointments to the task force shall be made not later than thirty days after the effective date of this section. Any vacancy shall be filled by the appointing authority.

(d) The chairpersons of the joint standing committee of the General Assembly having cognizance of matters relating to education shall select the chairpersons of the task force, from among the members of the task force. Such chairpersons shall schedule the first meeting of the task force, which shall be held not later than sixty days after the effective date of this section.

(e) The administrative staff of the joint standing committee of the General Assembly having cognizance of matters relating to education shall serve as administrative staff of the task force.

(f) Not later than January 1, 2014, the task force shall submit such guidelines for a uniform regional school calendar to each regional educational service center and the joint standing committee of the

General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes. The task force shall terminate on the date that it submits such guidelines to each regional educational service center in accordance with section 322 of this act, or January 1, 2014, whichever is later.

Sec. 322. (NEW) (*Effective from passage*) (a) Not later than April 1, 2014, each regional educational service center shall develop a uniform regional school calendar to be used by each local or regional board of education in the area served by such regional educational service center, in accordance with the provisions of subsections (b) and (c) of this section. Such uniform regional school calendars shall be consistent with the guidelines for a uniform regional school calendar developed pursuant to section 321 of this act. Not later than April 1, 2014, each regional educational service center shall submit such uniform regional school calendar to the State Board of Education for approval. Not later than five days after such approval, such regional educational service center shall submit such approved uniform regional school calendar to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes.

(b) For the school year commencing July 1, 2014, a local or regional board of education may adopt the uniform regional school calendar developed and approved pursuant to subsection (a) of this section.

(c) For the school year commencing July 1, 2015, and each school year thereafter, each local and regional board of education shall use the uniform regional school calendar developed and approved pursuant to subsection (a) of this section.

(d) (1) Not later than July 1, 2014, the Commissioner of Education shall submit a report on the implementation of uniform regional school calendars and any recommendations for legislation relating to such

implementation to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes.

(2) Not later than January 1, 2015, and July 1, 2016, the Commissioner of Education shall submit a report on the implementation of uniform regional school calendars in those school districts that have adopted a uniform regional school calendar, pursuant to subsection (b) of this section, and any recommendations for legislation relating to such implementation to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes.

(3) Not later than January 1, 2016, and July 1, 2017, and annually thereafter, the Commissioner of Education shall submit a report on the implementation of uniform regional school calendars, pursuant to subsection (c) of this section, and any recommendations for legislation relating to such implementation to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes.

Sec. 323. Section 10-15 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

Public schools including kindergartens shall be maintained in each town for at least one hundred eighty days of actual school sessions during each year, and for the school year commencing July 1, 2014, and each school year thereafter, in accordance with the provisions of section 322 of this act. When public school sessions are cancelled for reasons of inclement weather or otherwise, the rescheduled sessions shall not be held on Saturday or Sunday. Public schools may conduct weekend education programs to provide supplemental and remedial

services to students. A local or regional board of education for a school that has been designated as a low achieving school pursuant to subparagraph (A) of subdivision (1) of subsection (e) of section 10-223e, or a category four school or a category five school pursuant to said section 10-223e, may increase the number of actual school sessions during each year, and may increase the number of hours of actual school work per school session in order to improve student performance and remove the school from the list of schools designated as a low achieving school maintained by the State Board of Education. The State Board of Education (1) may authorize the shortening of any school year for a school district, a school or a portion of a school on account of an unavoidable emergency, and (2) may authorize implementation of scheduling of school sessions to permit full year use of facilities which may not offer each child one hundred eighty days of school sessions within a given school year, but which assures an opportunity for each child to average a minimum of one hundred eighty days of school sessions per year during thirteen years of educational opportunity in the elementary and secondary schools. Notwithstanding the provisions of this section and section 10-16, the State Board of Education may, upon application by a local or regional board of education, approve for any single school year, in whole or in part, a plan to implement alternative scheduling of school sessions which assures at least four hundred fifty hours of actual school work for nursery schools and half-day kindergartens and at least nine hundred hours of actual school work for full-day kindergartens and grades one to twelve, inclusive.

Sec. 324. Section 10-66d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

Each board of education and nonpublic school in the area served by a regional educational service center may determine the particular programs and services in which it wishes to participate in accordance

with the purpose of this part, except each board of education shall use the uniform regional school calendar in accordance with the provisions of section 322 of this act.

Sec. 325. Subsection (a) of section 4d-1a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) (1) Wherever the term "Chief Information Officer of the Department of Information Technology" is used in the following general statutes, the term "Commissioner of Administrative Services" shall be substituted in lieu thereof; (2) wherever the term "Chief Information Officer" is used in the following general statutes, the term "commissioner" shall be substituted in lieu thereof; and (3) wherever the term "Department of Information Technology" is used in the following general statutes, the term "Department of Administrative Services" shall be substituted in lieu thereof: 1-205, 1-211, 1-212, 1-283, 3-117, 4d-3, 4d-5, 4d-10, 4d-11, 4d-14, 4d-38, 4d-41, 4d-42, 4d-43, 4d-81a, 4d-82a, 4d-83, **[**4d-84,**]** 10-5b, 10-10a, 18-81x, 19a-110, 19a-750, 32-6i, 54-105a, 54-142q, 54-142r and 54-142s.

Sec. 326. Section 49-31r of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) A mortgagee, as defined in section 49-8a, shall include the form promulgated by the Judicial Branch, in accordance with subdivision (3) of subsection (c) of section 49-31*l*, concerning notice of community-based resources to parties involved in foreclosure mediation with any notice to a mortgagor, as defined in said section 49-8a, of an intent to accelerate the mortgage loan.

[(b) A municipality shall include such form with any statements sent to a homeowner regarding an arrearage owed by the homeowner for public sewer or water services or for property taxes.**]**

[(c)**]** (b) The Judicial Branch shall provide such form to parties involved in foreclosure mediation to public libraries, religious organizations and community-based programs throughout this state to ensure that such form is readily available to mortgagors.

[(d)**]** (c) Such form shall include the following:

(1) A reference to CHFA/HUD-Approved Housing Counselors in lieu of a reference to CHFA-Approved Housing Counselors;

(2) A column in the approved housing counselor chart that includes the counties in which each housing counselor serves; and

(3) A notification to mortgagors who are currently parties to a foreclosure action that they should contact the Department of Banking's foreclosure assistance hotline for assistance with time sensitive foreclosure concerns.

Sec. 327. (NEW) (*Effective October 1, 2013*) (a) On or after January 1, 2015, there shall be established a regional human services coordinating council for each planning region redesignated pursuant to section 16a-4c of the general statutes to encourage collaborations that will foster the development and maintenance of a client-focused structure for the health and human services system in the region.

(b) Membership on the regional human services coordinating councils established under this section shall include the Commissioners of Developmental Services, Social Services, Children and Families, Mental Health and Addiction Services, Correction, Education and Public Health, or said commissioners' designees, and the executive director of the Court Support Services Division of the Judicial Branch, or the executive director's designee. Additional membership shall be determined at the discretion of the executive director of each regional council of governments. Such membership may include, but not be limited to: (1) Municipal elected officials, (2)

workforce development boards, (3) nonprofit agencies, and (4) family advocacy groups.

(c) Each regional human services coordinating council established under this section shall meet not less than twice annually to (1) ensure that regional plans and activities are coordinated with the human service needs of each region, and (2) develop approaches to improve service delivery and achieve cost savings in the region.

Sec. 328. (NEW) (*Effective from passage*) (a) There is established an account to be known as the "municipal reimbursement and revenue account" which shall be a separate, nonlapsing account within the General Fund. The account shall contain any moneys required by law to be deposited in the account.

(b) Moneys in the account shall be expended by the Office of Policy and Management as follows: (1) For the Nutmeg Network, one million eighty-seven thousand dollars in each of fiscal years ending June 30, 2014, and June 30, 2015; (2) for a tax incidence study, five hundred thousand dollars in the fiscal year ending June 30, 2014, and two hundred thousand dollars in the fiscal year ending June 30, 2015; and (3) for the universal chart of accounts, four hundred fifty thousand dollars in the fiscal year ending June 30, 2014.

Sec. 329. Section 12-63h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) The Secretary of the Office of Policy and Management shall establish a pilot program in **[**a single municipality**]** up to three municipalities whereby the **[**municipality**]** selected municipalities shall develop a plan for implementation of land value taxation that (1) classifies real estate included in the taxable grand list as (A) land or land exclusive of buildings, or (B) buildings on land; and (2) establishes a different mill rate for property tax purposes for each

class, provided the higher mill rate shall apply to land or land exclusive of buildings. The different mill rates for taxable real estate in each class shall not be applicable to any property for which a grant is payable under section 12-19a or 12-20a.

(b) **[**To be eligible for the program a municipality shall (1) be a distressed municipality, as defined in subsection (b) of section 32-9p; (2) have a population of not more than twenty-six thousand; and (3) have a city manager and city council form of government.**]** The secretary shall establish an application procedure and any other criteria for the program and shall send a copy of such application procedure and any other criteria to the joint standing committee of the General Assembly having cognizance of matters relating to planning and development. The secretary shall not select a municipality for the pilot program unless the legislative body of the municipality has approved the application. The secretary shall send a notice of selection for the pilot program to the chief executive officer of the municipality and to the joint standing committee of the General Assembly having cognizance of matters relating to planning and development.

(c) After receipt of the notice of selection provided by the Secretary of the Office of Policy and Management pursuant to subsection (b) of this section, the chief **[**executive officer**]** elected official of such municipality shall appoint a committee consisting of (1) a representative of the legislative body of the municipality or where the legislative body is the town meeting, a representative of the board of selectmen; (2) a representative from the business community; (3) a land use attorney; and (4) relevant taxpayers and stakeholders. **[**to**]** Such committee shall prepare a plan for implementation of land value taxation. Such plan shall **[**(1)**]** (A) provide a process for implementation of differentiated tax rates; **[**(2)**]** (B) designate geographic areas of the municipality where the differentiated rates shall be applied; and **[**(3)**]** (C) identify legal and administrative issues affecting the

implementation of the plan. The chief executive officer, the chief elected official, the assessor and the tax collector of the municipality shall have an opportunity to review and comment on the plan. On or before December 31, **[**2009**]** 2014, and upon approval of the plan by the legislative body, the plan shall be submitted to the joint standing committees of the General Assembly having cognizance of matters relating to planning and development, **[**and to**]** finance, revenue and bonding and commerce.

Sec. 330. (NEW) (*Effective July 1, 2013*) (a) The Commissioner of Revenue Services shall, on or before December 31, 2014, and biennially thereafter, submit to the joint standing committee of the General Assembly having cognizance of matters relating to finance, revenue and bonding, and post on said department's Internet web site a report on the overall incidence of the income tax, sales and excise taxes, the corporation business tax and property tax. The report shall present information on the distribution of the tax burden as follows:

(1) For individuals:

(A) Income classes, including income distribution expressed for every ten percentage points; and

(B) Other appropriate taxpayer characteristics, as determined by said commissioner.

(2) For businesses:

(A) Business size as established by gross receipts;

(B) Legal organization; and

(C) Industry by NAICS code.

(b) The Commissioner of Revenue Services may enter into a contract with any public or private entity for the purpose of preparing the

report required pursuant to subsection (a) of this section.

Sec. 331. Section 5-141b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The **[**Commissioner of Administrative Services**]** Comptroller may issue a statement to all state employees which shall include a summary of medical benefits, survivors' benefits and normal retirement benefits for each employee and a summary of general salary and other fringe benefit provisions.

Sec. 332. Section 5-141c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The Commissioner of Administrative Services, with the approval of the Secretary of the Office of Policy and Management, shall establish and implement regulations, in accordance with the provisions of chapter 54, for the reimbursement of state employees for expenses incurred in the performance of their duties, except to the extent that such reimbursement is otherwise provided in accordance with the provisions of chapter 67 or 68.

Sec. 333. Section 5-196 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

As used in this chapter, unless the context otherwise requires:

(1) "Agency" means a department, board, institution or commission established by statute, not a part of any other department, board, institution or commission.

(2) "Allocation" means the official assignment of a position in the classified service to the appropriate standard class of the classification plan.

(3) "Appointing authority" means a board, commission, officer,

commissioner, person or group of persons or the designee of such board, commission, officer, commissioner, person or group of persons having the power to make appointments by virtue of a statute or by lawfully delegated authority.

(4) "Candidate list" means a list of the names of persons based on merit as determined under the provisions of this chapter, which persons have been found qualified through suitable examinations for employment in positions allocated to a specified class, occupational group or career progression level.

(5) "Class", "class of positions" or "position classification" means a position or group of positions in the state classified service established under this chapter that share general characteristics and are categorized under a single title for administrative purposes.

(6) "Classified service" means every office or position in the state service, whether full-time or part-time, for which compensation is paid, except those offices and positions specified in section 5-198 or otherwise expressly provided by statute.

(7) "Compensation" means the salary, wages, benefits and other forms of valuable consideration earned by and provided to an employee in remuneration for services rendered.

(8) "Compensation schedule" or "compensation plan" means a list or lists specifying a series of compensation steps and ranges.

(9) "Eligible" or "eligible person" means a person **[**whose name is on a candidate list**]** who has either (A) met the requirements of the class and been determined qualified by the Commissioner of Administrative Services, or (B) been placed on a candidate list by an examination administered by or at the direction of the Department of Administrative Services.

(10) "Employee" or "state employee" means any person holding a position in state service subject to appointment by an appointing authority.

(11) "Examination" means an assessment device or technique yielding scores or ratings designed to determine the fitness of candidates for positions allocated to a specified class, occupational group or career progression level.

(12) "Full-time employee" means an employee holding a position normally requiring thirty-five hours or more of service in each week.

[(13) "Generic job class" means a job classification comprised of positions covering a diversity of assignments which are either occupationally or functionally related.**]**

[(14)**]** (13) "Good standing" means the status of an employee whose employment in the state service has been terminated other than as a result of disciplinary action or during a period when disciplinary action was pending.

[(15)**]** (14) "Grade" or "pay grade" means a relative level, numerically expressed, to which one or more classes may be assigned according to the degree of their complexity, importance and value, and which refers to a single pay range in the compensation schedule.

[(16)**]** (15) "Minimum earned rating" means the lowest score or rating that entitles a candidate to pass the examination.

[(17)**]** (16) "Officer" or "state officer" means any person appointed to a state office established by statute, including appointing authorities.

[(18)**]** (17) "Part-time employee" means an employee holding a position normally requiring less than thirty-five hours of service in each week.

[(19)**]** (18) "Permanent appointment" means appointment to a position in the classified service following successful completion of the required working test.

[(20)**]** (19) "Permanent employee" means an employee holding a position in the classified service under a permanent appointment or an employee holding a position in unclassified service who has served in such a position for a period of more than six months, except employees in positions funded in whole or in part by the federal government as part of any public service employment program, on-the-job training program or work experience program.

[(21)**]** (20) "Permanent position" means any position in the classified service which requires or which is expected to require the services of an incumbent without interruption for a period of more than six months, except positions funded in whole or in part by the federal government as part of any public service employment program, on-the-job training program or work experience program.

[(22)**]** (21) "Position" means a group of duties and responsibilities currently assigned or designated by competent authority to require the services of one employee.

[(23)**]** (22) "Public member" means a member of a board or commission who does not hold any office or position in the state service.

[(24)**]** (23) "Reemployment list" means a list of names of persons arranged in the order prescribed by the provisions of this chapter and by regulations issued in accordance with this chapter, which persons have occupied positions allocated to any class in the classified service, and are no longer in such class and are entitled to have their names certified to appointing authorities when vacancies in such class are to be filled, in preference to those whose names are on the candidate list

for such class.

[(25)**]** (24) "State service" means occupancy of any office or position or employment in the service of the state, but not of local governmental subdivisions thereof, for which compensation is paid.

[(26)**]** (25) "Temporary position" means a position in the state service which is expected to require the services of an incumbent for a period not in excess of six months.

[(27)**]** (26) "Unclassified service" means any office or position in the state service which is not in the classified service.

[(28)**]** (27) "Working test" means a trial working period made a part of the selective process under the provisions of this chapter and by regulations issued in accordance with this chapter, during which the work and conduct of the employee shall be noted by the appointing authority or his authorized agent and reported upon to determine whether such employee merits permanent appointment.

[(29)**]** (28) "Veteran", when used in this chapter and in section 5-180, means any person who has been honorably discharged from or released under honorable conditions from active service in the armed forces of the United States and who has performed such service in time of war, as such terms are defined in section 27-103, except that the final date for service in time of war during World War II shall be December 31, 1947.

[(30)**]** (29) "Managerial employee" means any person presently covered by the existing managerial compensation plan pursuant to subsection (g) of section 5-270.

[(31)**]** (30) "Career progression level" means the following career levels in which each class of positions shall be categorized as determined by the Commissioner of Administrative Services based on

general job characteristics and minimum requirements for knowledge, skill and ability, including, but not limited to, education, employment history and special skills: (A) Entry, (B) working, (C) lead, (D) supervisor, and (E) manager.

[(32)**]** (31) "Occupational group" means broad occupational areas in which each class of positions shall be categorized as determined by the Commissioner of Administrative Services.

Sec. 334. Subsections (a) and (b) of section 5-180 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The war service before September 1, 1939, of a veteran, as defined in section 27-103 and **[**subdivision (29) of**]** section 5-196, as amended by this act, shall be counted as state service if the member began to make his retirement contributions before September 1, 1941, and made retirement contributions on all salary received by him from September 1, 1939, until his retirement date.

(b) The war service before September 1, 1939, of a veteran who became a member after September 1, 1939, and the war service or military service during a national emergency declared by the President of the United States on and after September 1, 1939, of a veteran who became a member at any time, shall be counted as state service if the member makes retirement contributions for each month of war service as defined by section 27-103 and described in subdivision **[**(29)**]** (28) of section 5-196, as amended by this act, or for each month of such service during a national emergency, as the case may be. Any veteran who becomes a member on or after July 1, 1975, shall not receive credit for such war or military service if such member has received or is entitled to receive any retirement allowance for the same years of such service from the federal government. Any veteran who is a member and who has not made application for such credit prior to July 1, 1975, shall not

receive credit for such service if such member has received or is entitled to receive any retirement allowance for the same years of such service from the federal government unless such member makes application for such credit to the Retirement Commission on or before October 1, 1975, and makes retirement contributions for each month of such service in accordance with the provisions of this subsection. The Comptroller of the state may notify each employee of this provision on or before September 1, 1975. Such contributions shall equal one-twelfth of four per cent of his first year's salary as a state employee multiplied by the total number of months of such war service or national emergency service and, if such employee became a member after April 1, 1958, shall be accompanied by interest at four per cent per year from the time such war service was rendered or from September 1, 1939, whichever is later, until the date of payment or January 1, 1962, whichever is earlier. Such contributions may be paid by payroll deductions as determined by the Retirement Commission over a period not to exceed thirty-six months, interest thereon to be paid not later than the last day of the month following the payment of the last of such deductions. Service credit for retirement purposes shall not be granted unless payment of contributions and interest is completed. No credit shall be given hereunder for military service during a national emergency to any state employee who has served less than ten years as a permanent full-time state employee, nor for any such military service beyond a total period of his compulsory service, if any, plus three years.

Sec. 335. Subsection (a) of section 5-248a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) For purposes of this section, "child" means a biological, adopted or foster child, stepchild, child of whom a person has legal guardianship or custody, or, in the alternative, a child of a person

standing in loco parentis, who is (1) under eighteen years of age, or (2) eighteen years of age or older and incapable of self-care because of a mental or physical disability. Each permanent employee, as defined in **[**subdivision (20) of**]** section 5-196, as amended by this act, shall be entitled to a family leave of absence upon the birth or adoption of a child of such employee, or upon the serious illness of a child, spouse or parent of such employee; and a medical leave of absence upon the serious illness of such employee or in order for such employee to serve as an organ or bone marrow donor. The total amount of time that an employee is entitled to for leaves of absence pursuant to this section shall be twenty-four weeks within any two-year period. Any such leave of absence shall be without pay. Upon the expiration of any such leave of absence, the employee shall be entitled (A) to return to the employee's original job from which the leave of absence was provided or, if not available, to an equivalent position with equivalent pay, except that in the case of a medical leave, if the employee is medically unable to perform the employee's original job upon the expiration of such leave, the **[**Personnel Division of the**]** Department of Administrative Services shall endeavor to find other suitable work for such employee in state service, and (B) to all accumulated seniority, retirement, fringe benefit and other service credits the employee had at the commencement of such leave. Such service credits shall not accrue during the period of the leave of absence.

Sec. 336. Subsection (g) of section 5-248a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(g) Each permanent employee, as defined in **[**subdivision (20) of**]** section 5-196, as amended by this act, who is the spouse, son or daughter, parent or next of kin of a current member of the armed forces, as defined in section 27-103, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status or

is on the temporary disability retired list for a serious injury or illness incurred in the line of duty, shall be entitled to a one-time benefit of twenty-six workweeks of leave within a single two-year period for each armed forces member per serious injury or illness incurred in the line of duty.

Sec. 337. Subsection (d) of section 5-257 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(d) The insurance of any employee insured under this section shall cease on termination of employment, and of any member of the General Assembly at the end of such member's term of office, subject to any conversion privilege provided in the group life insurance policy or policies. Notwithstanding any provision of this section, the amounts of life insurance of insured employees retired in accordance with any retirement plan for state employees shall be as follows: The amount of life insurance of an insured employee retired before, on or after July 1, 1998, with twenty-five or more years of state service, as defined in **[**subdivision (25) of**]** section 5-196, as amended by this act, or a member of the General Assembly who is retired on or after July 1, 1988, with twenty-five or more years of service, shall be one-half of the amount of life insurance for which the employee was insured immediately before retirement, provided in no case shall the amount be less than ten thousand dollars, those with less than twenty-five years of service shall receive the proportionate amount that such years of service is to twenty-five years rounded off to the nearest hundred dollars of coverage, except that the amount of life insurance of an insured employee who is retired on or after July 1, 1982, under the provisions of section 5-173 shall be one-half of the amount of life insurance for which the employee was insured immediately before retirement, regardless of the number of years of service by such employee. In no case shall a retired employee be required to contribute to the cost of

any such reduced insurance. For the purposes of this section, no employee shall be deemed to be retired as long as such employee's employment continues under subsections (b) and (e) of section 5-164.

Sec. 338. Subsection (a) of section 45a-54 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) Any judge or employee who is not yet receiving a retirement allowance may apply to the Retirement Commission for credit for service as a member of the General Assembly and for military service, consisting of war service, as defined in section 27-103 and described in subdivision **[**(29)**]** (28) of section 5-196, as amended by this act, and national emergency service as defined by law, provided credit for such military and General Assembly service shall not exceed three years in the aggregate. Any such application for credit for service as a member of the General Assembly must be filed within one year of the date upon which the judge or employee first becomes a member or within one year of October 1, 1986, whichever is later. Any such application for credit for military service must be filed within one year of the date upon which the judge or employee first becomes a member or within one year of October 1, 1994, whichever is later.

Sec. 339. Subdivisions (10) and (11) of section 5-198 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(10) Executive assistants to each state elective officer and each department head, as defined in section 4-5, provided (A) each position of executive assistant shall have been created in accordance with section 5-214, and (B) in no event shall the Commissioner of Administrative Services or the Secretary of the Office of Policy and Management approve more than four executive assistants for a department head;

(11) One personal secretary to the administrative head and to each undersecretary or deputy to such head of each department or institution; **[**provided any classified employee whose position is affected by this subsection shall retain classified status in such position;**]**

Sec. 340. Subdivision (23) of section 5-198 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(23) Lieutenant colonels in the Division of State Police within the Department of Emergency Services and Public Protection; **[**appointed on or after June 6, 1990;**]**

Sec. 341. Subsection (j) of section 5-200 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(j) The commissioner shall **[**issue**]** adopt, in accordance with the provisions of chapter 54, such regulations as **[**he**]** the commissioner may find necessary or appropriate for the administration of personnel pursuant to the provisions of this chapter.

Sec. 342. Subsections (p) and (q) of section 5-200 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(p) When such authority is not otherwise conferred by statute, the commissioner may issue orders to provide that (1) executive or judicial **[**branch**]** department employees exempt from the classified service or not included in any prevailing bargaining unit contract, except unclassified employees of any board of trustees of the constituent units of higher education, be granted rights and benefits not less than those granted to employees in the classified service or covered under such contracts, or (2) retirement benefits for state employees exempt from

the classified service or not included in any prevailing bargaining unit contract **[**and employees of state-aided institutions, as defined in section 5-175,**]** be adjusted to provide retirement benefits for such employees which are the same as those most frequently provided under the terms of approved bargaining unit contracts in effect at the time of such adjustment. When such authority is not otherwise conferred by statute, the board of trustees of any constituent unit of the state system of higher education may issue orders to provide that the unclassified employees of such board be granted rights and benefits not less than those granted to employees of the board who are covered under a prevailing bargaining unit contract. Where there is a conflict between an order granting such rights and benefits and any provision of the general statutes, such order shall prevail. Such orders shall be subject to the approval of the Secretary of the Office of Policy and Management. If the secretary approves such order, and such order is in conflict with any provision of the general statutes, the secretary shall forward a copy of such order to the joint committee of the General Assembly having cognizance of labor matters.

(q) Commencing November 1, 1989, elected officials and employees in the legislative **[**branch**]** department and elected officials in the executive **[**branch**]** department shall be granted rights and benefits equal to those granted to employees in the classified service covered under a prevailing collective bargaining agreement negotiated in accordance with subdivision (1) of subsection (f) of section 5-278.

Sec. 343. Subsection (t) of section 5-200 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(t) **[**Notwithstanding the provisions of this chapter, any**]** Any matters involving collective bargaining shall be the responsibility of the Secretary of the Office of Policy and Management.

Sec. 344. Section 5-200a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The Commissioner of Administrative Services **[**, with the assistance of a consultant and project coordinator as required, and utilizing such studies as may be available to said commissioner, shall adopt and implement a system for evaluating**]** shall evaluate classifications in state service on a periodic basis of not less than five years to determine if the classification is in the appropriate compensation plan based upon appropriate and reasonably objective job-related criteria, excluding classes covered by section 5-198. **[**Based on the two-phase recommendation of the pilot study produced pursuant to the mandate of special act 79-72, the Department of Administrative Services shall, as necessary, review and make appropriate revisions to the classification system for all jobs within all job families in state employment which are subject to evaluation, and shall evaluate such classifications in state service on the basis of objective job-related criteria and in conformance with procedures and techniques recommended by the commissioner.**]** Said objective, job-related criteria shall include but not be limited to: (1) Knowledge and skill required to carry out the duties of the position, (2) effort, both mental and physical, and (3) accountability. Evaluation committees which are representative of management and employees in the occupations being evaluated shall be formed for the purposes of this section. Utilizing the job evaluation system, the commissioner shall determine ratings for jobs through assignment of factor values. **[**and shall, on January 1, 1982, and each January first thereafter, make a progress report and report all findings, including comparative job ratings, to the cochairpersons of the joint standing committee of the General Assembly having cognizance of matters relating to labor and public employees. An advisory committee representing various interested parties shall advise the Department of Administrative Services in performing this work.**]** No modification of compensation

shall be required by such ratings. Ratings may be a consideration in setting salaries, subject to the provisions of chapter 68 for classes included under collective bargaining. **[**The job evaluation process shall include system selection, testing and training of raters. During the fiscal year ending June 30, 1982, up to seven hundred classes shall be evaluated, including those classes studied pursuant to special act 79-72 and this section, as in effect prior to July 1, 1981, and such other classes as may provide a representative sample of the classifications in state service. The commissioner shall report the preliminary findings with regard to such a sample by March 1, 1982, to the cochairpersons of the joint standing committee of the General Assembly having cognizance of matters relating to labor and public employees. In each succeeding year the commissioner shall, within available appropriations, evaluate up to seven hundred classes a year and report the findings of such evaluation to the cochairpersons of said committee.**]**

(b) The Commissioner of Administrative Services **[**, with the assistance of a consultant and project coordinator as required, and utilizing such studies as may be available to the commissioner, shall adopt and implement a system for a full classification and job evaluation study of all unclassified positions in state service, as described in section 5-198, currently held or to be held by employees in collective bargaining units.**]** shall evaluate on a periodic basis of not less than five years classifications for all unclassified positions in state service, as described in section 5-198, currently held or to be held by employees in collective bargaining units, to determine if the classification is in the appropriate compensation plan based upon appropriate and reasonably objective job-related criteria. The commissioner shall conduct such evaluations in accordance with the provisions of subsection (a) of this section.

[(c) Notwithstanding the provisions of subsection (b) of this section, (1) studies of unclassified employees conducted as negotiated under

collective bargaining agreements shall be implemented and funded in conjunction with studies completed under subsection (a) of this section, and (2) on or before August 1, 1987, any exclusive bargaining representative may notify the commissioner, in writing, of those unclassified positions in the particular bargaining unit which shall be excluded from the study conducted pursuant to subsection (b) of this section.**]**

[(d)**]** (c) Any unclassified position may be excluded from the study conducted pursuant to subsection (b) of this section if **[**(1) the inclusion of such position in the study is not deemed to be feasible by the feasibility study mandated by special act 86-51 and (2)**]** the commissioner and the exclusive bargaining representative mutually agree to exclude such position.

Sec. 345. Section 5-200b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

Any state employee who is being reclassified upward to a competitive or noncompetitive class in state service may be allocated to the higher classification without examination by the Commissioner of Administrative Services if the reclassification results from a survey of all positions in a class, an occupational **[**series**]** group or all classes of a bargaining unit and the employee possesses the minimum experience and training requirements for the new class and has permanent status in the present class.

Sec. 346. Section 5-200c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

[(a) Commencing with the fiscal year ending June 30, 1988, and**]** The Commissioner of Administrative Services shall take into account any further wage inequities identified as part of the five year review process in accordance with section 5-200a, as amended by this act. In

each fiscal year, **[**thereafter,**]** upon the request of the commissioner with the approval of the Secretary of the Office of Policy and Management, the General Assembly shall appropriate sufficient funds to the reserve for salary adjustments account in the annual appropriations act for such fiscal year to be designated for use in **[**eliminating inequities, including sex-based inequities, within and between all job families in the wages paid**]** modifications to the compensation plan for state service, as identified by the findings of (1) the objective job evaluation process conducted by the Commissioner of Administrative Services pursuant to section 5-200a, as amended by this act, **[**(2) objective job evaluation studies of unclassified employees, and (3)**]** and (2) other studies negotiated under collective bargaining agreements. Inequities shall not be eliminated through the downgrading of any job classification or salaries. **[**Extraordinary variations in compensation in relation to point values assigned by such studies shall not necessarily be used as a basis for upgradings of any job classifications or salaries and shall be a subject for collective bargaining. Such funds shall be distributed in a manner to be determined by collective bargaining. All such wage inequities shall be eliminated by July 1, 1995.**]**

[(b) Upon the completion of the studies referred to in subdivisions (2) and (3) of subsection (a) of this section and the implementation of the results of such studies, collective bargaining negotiations concerning wage changes as a result of objective job evaluations shall commence not later than April 1, 1993. Notwithstanding the provisions of subsection (a) of section 5-278, such negotiations shall be conducted between the employer, as defined in subsection (a) of section 5-270, and a coalition committee which represents all state employees who are members of any designated employee organization. The results of any such negotiations shall be implemented as of July 1, 1995. All wage inequities shall be deemed to have been eliminated upon the implementation of such results. Nothing in this subsection shall be

deemed to affect any appeal related to any objective job evaluation studies previously taken or allowed or any litigation pending on June 25, 1991, or to prohibit the continued use of a point factor value system for the evaluation of newly created job classifications.**]**

Sec. 347. Section 5-202 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) Any employee who is not included in any collective bargaining unit of state employees and who has achieved a permanent appointment as defined in **[**subdivision (19) of**]** section 5-196, as amended by this act, may appeal to the Employees' Review Board if such employee receives an unsatisfactory performance evaluation or is demoted, suspended or dismissed, or is aggrieved as a result of (1) alleged unlawful discrimination, **[**or**]** unless a complaint is or has been filed by such employee with the Commission on Human Rights and Opportunities or the Equal Employment Opportunity Commission, (2) unsafe or unhealthy working conditions, unless a complaint is or has been filed by such employee with the state or federal Occupational Safety and Health Administration, or (3) violations involving the interpretation and application of a specific state personnel statute, regulation or rule. Such employee must have complied with preliminary review procedures, except as otherwise provided in subsection (l) of this section. Such an appeal shall be submitted to the board not later than thirty days from the completion of the final level of the preliminary review procedure, provided the first level of the procedure shall have been initiated no later than thirty calendar days from the date of the alleged violation, except that in cases of dismissal, demotion or suspension the grievance must be submitted directly to the third level of the procedure and shall have been initiated no later than thirty calendar days from the effective date of such action.

(b) Any group of employees that is not included in any collective bargaining unit of state employees may file an appeal as a group

directly with the Employees' Review Board if such group of employees is laid off or dismissed, or is aggrieved as a result of alleged unlawful discrimination, unless a complaint is or has been filed by such group of employees with the Commission on Human Rights and Opportunities or the Equal Employment Opportunities Commission, or unsafe or unhealthy working conditions, unless a complaint is or has been filed by such group of employees with the state or federal Occupational Safety and Health Administration, or violations involving the interpretation and application of a specific state personnel statute, regulation or rule, provided each member of such group (1) is appealing the same or a similar issue, as determined by the Employees' Review Board, (2) is a permanent employee, as defined in **[**subdivision (20) of**]** section 5-196, as amended by this act, and (3) has achieved a permanent appointment, as defined in **[**subdivision (19) of**]** section 5-196, as amended by this act. Such an appeal shall be submitted to the board not later than thirty calendar days from the specific incident or effective date of action giving rise to such appeal.

(c) Upon receiving an appeal, the board shall assign a time and place for a hearing and shall give notice of such time and place to the parties concerned. The hearing panel shall not be bound by technical rules of evidence prevailing in the courts. If, after hearing, a majority of the hearing panel determines that the action appealed from was arbitrary or taken without reasonable cause, the appeal shall be sustained; otherwise, the appeal shall be denied. The hearing panel shall have the power to direct appropriate remedial action and shall do so after taking into consideration just and equitable relief to the employee or group of employees and the best interests and effectiveness of the state service. The hearing panel shall render a decision not later than sixty calendar days from the date of the conclusion of the hearing.

(d) The employee or group of employees in any such case shall be

furnished, upon request, with a copy of the transcript of the proceedings before the board. The chairman of the board shall establish a fair and reasonable fee per page to be charged for such transcript which fee shall not exceed the fee per page for a transcript charged by court reporters for the judicial district of Hartford. Notwithstanding any provision of law to the contrary, such fee shall not be waived for any party.

(e) Not later than ten days from the issuance date of a decision by a hearing panel sustaining an appeal, the appointing authority of the employee shall take such measures as are necessary to comply with the remedial action directed by the hearing panel.

(f) An employee or group of employees laid off or dismissed by reason of economy, lack of work, insufficient appropriation, change in departmental organization or abolition of position may file an appeal with the board only on the grounds that the order of layoff or dismissal has not been determined in accordance with the provisions of section 5-241, provided (1) such employee has initiated the third level of the preliminary review procedure not later than thirty calendar days from the effective date of such layoff or dismissal, or (2) such group of employees submits such appeal to the board not later than thirty calendar days from the effective date of the layoff or dismissal.

(g) All matters involving examination, including application rejection, type of examination or results, compensation for class or classes, establishment of a new class or classes, classification of a position, occupational group or career progression level, compliance with health and safety standards and the Connecticut Occupational Safety and Health Act or alleged discrimination in cases where an appeal has been filed with the Commission on Human Rights and Opportunities, shall not be appealable under this section.

(h) The first level of the preliminary review procedure preparatory

to the filing of an appeal from an alleged grievable action under subsection (a) of this section other than dismissal, demotion or suspension shall be the aggrieved employee's supervisor or department chief or other employee as designated by the employee's appointing authority. Such aggrieved employee shall present the employee's grievance in writing on a form developed by the Secretary of the Office of Policy and Management and the Employee Review Board which form shall contain a statement of the date the alleged violation occurred and the relief sought in answer to the grievance. The first level designee shall give said designee's answer to such employee not later than seven calendar days from the date the grievance is submitted to said designee or not later than seven days from the date of a meeting convened for the purpose of reviewing the grievance, in which case such meeting shall be convened not later than seven calendar days from the date the grievance is submitted.

(i) The second level of the preliminary review procedure preparatory to the filing of an appeal from an alleged grievable action under subsection (a) of this section other than dismissal, demotion or suspension shall be the aggrieved employee's appointing authority or designated representative. Such employee, upon receiving a response at the first level which the employee deems to be unsatisfactory, may proceed to this level by presenting the same form containing the first level answers not later than seven calendar days from the date the answer was given at the first level. The appointing authority or designated representative shall answer such employee not later than seven calendar days from the date the grievance is received or not later than seven calendar days from the date of a meeting convened for the purpose of reviewing such grievance, in which case such meeting shall be convened not later than seven calendar days from the date such grievance is received.

(j) The third level of the preliminary review procedure preparatory

to the filing of an appeal from an alleged grievable action under subsection (a) of this section including dismissal, demotion or suspension shall be the Secretary of the Office of Policy and Management or the secretary's designated representative. The employee, upon receiving a response at the second level which the employee deems to be unsatisfactory, may proceed to this level by presenting the same form containing the first and second level answers not later than seven calendar days from the date the answer was given at the second level, except in the case of a dismissal, demotion or suspension in which case such employee must present the form, completed but without answers at lower levels not later than thirty calendar days from the effective date of such action. The Secretary of the Office of Policy and Management or the secretary's designated representative shall reply to such employee not later than thirty calendar days from the date such grievance is received or not later than fifteen calendar days from the date of a meeting convened for the purpose of reviewing such grievance, in which case such meeting shall be convened not later than thirty calendar days from the date such grievance is received.

(k) Employees shall be entitled to have representation of their own choosing at any or all levels of the review or appeal procedure. No verbatim records shall be required in the preliminary procedure and no oaths or affirmations shall be administered.

(l) Any state officer or employee, as defined in section 4-141, or any appointing authority shall not take or threaten to take any personnel action against any state employee or group of state employees in retaliation for the filing of an appeal with the Employees' Review Board or a grievance with any level of the preliminary review procedure pursuant to this section. An employee or group of employees alleging that such action has been threatened or taken may file an appeal directly with the board not later than thirty days from

knowledge of the specific incident giving rise to such claim.

(m) Either the Secretary of the Office of Policy and Management or any employee or group of employees aggrieved by a decision of the Employees' Review Board may appeal from such decision in accordance with section 4-183. The board may intervene as a party in any appeal of its decision. Any employee or group of employees who prevails in a decision of the Employees' Review Board shall be entitled to recover court costs and reasonable attorney's fees if such decision is appealed by the Secretary of the Office of Policy and Management and affirmed by the court in such appeal.

(n) Any time limit set forth in this section may be waived by mutual written agreement of the employee or group of employees, or the designated representative of the employee or group of employees, and the Secretary of the Office of Policy and Management or the secretary's designee.

Sec. 348. Section 5-208 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The Commissioner of Administrative Services shall establish compensation schedules or plans. For employees who are not members of any collective bargaining unit, subject to the approval of the Secretary of the Office of Policy and Management such schedules or plans shall consist of sufficient salary grades to provide compensation rates determined to be necessary or desirable for all classes assigned to each compensation schedule.

(b) When the compensation of a class is raised, the salary of each incumbent in such class who is not a member of any collective bargaining unit shall be increased by an amount at least equal to one step or five per cent, whichever is less, in the higher salary grade, except managerial employees' salaries shall be increased by an amount

equal to five per cent, up to the maximum of the new salary grade.

Sec. 349. Section 5-208a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

No state employee shall be compensated for services rendered to more than one state agency during a biweekly pay period unless the appointing authority of each agency or **[**his**]** such authority's designee certifies that the duties performed are outside the responsibility of the agency of principal employment, that the hours worked at each agency are documented and reviewed to preclude duplicate payment and that no conflicts of interest exist between services performed. No state employee who holds multiple job assignments within the same state agency shall be compensated for services rendered to such agency during a biweekly pay period unless the appointing authority of such agency or his designee certifies that the duties performed are not in conflict with the employee's primary responsibility to the agency, that the hours worked on each assignment are documented and reviewed to preclude duplicate payment, and that there is no conflict of interest between the services performed. Any dual employment arrangement that results in the necessity to pay overtime shall be approved in advance by the Commissioner of Administrative Services.

Sec. 350. Section 5-215a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

When the appointing authority receives approval to fill a vacancy in any permanent position in the classified service, **[**is to be filled,**]** the appointing authority shall request the Commissioner of Administrative Services to provide a candidate list. The candidate list certified by the commissioner shall contain the final earned rating of each candidate. The appointing authority shall fill the vacant position by selecting any candidate on the candidate list. In the event that fewer than five names are available on the candidate list to fill a position, the

Commissioner of Administrative Services may authorize a new examination based on documented need. The appointing authority may fill the position from either the new or original candidate list in accordance with the provisions of this section.

Sec. 351. Subsections (a) and (b) of section 5-216 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The Commissioner of Administrative Services shall hold examinations for the purpose of establishing candidate lists for the various classes of positions in the classified service, except as provided in sections 5-227b and 5-233. Such examinations may be held on a continuous basis or at such time or times as the commissioner deems necessary to supply the needs of the state service. In establishing any candidate list following examinations, the commissioner shall place on the list, in the order of their ratings, the names of persons who show they possess the qualifications which entitle them to be considered eligible for appointment when a vacancy occurs in any position allocated to the class for which such examination is held or for which such candidate list is held to be appropriate. Such ratings may take such form as the commissioner deems appropriate to describe the performance of any candidate on any examination.

(b) Where the needs of the service indicate that continuous recruitment is justified, the commissioner may defer announcing a closing date for filing applications for the **[**necessary**]** examination. Announcements of such examinations shall specify that recruitment is continuous and that applications may be filed until further notice. Such examination may be graded on a pass-fail basis in order to expedite certification and appointment.

Sec. 352. Section 5-217 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The Commissioner of Administrative Services shall specify, at the time any candidate list is promulgated, the period during which such list shall remain in force. In no case shall a candidate list remain in force for a period of less than **[**six**]** three months or more than one year, **[**unless the period is extended by the commissioner for a period not to exceed an additional two years, except for candidate lists for continuous recruitment examinations, which may be extended by the commissioner for a period not to exceed five years**]** provided such period may be extended not more than one year by the commissioner as appropriate based upon the needs of the state, except that extensions concerning candidate lists for continuous recruitment examinations shall be based on the needs of the service.

Sec. 353. Section 5-218 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) **[**The**]** Except for an examination that has been waived pursuant to section 5-227b, the Commissioner of Administrative Services shall prepare lists of preliminary requirements and subjects of examination for positions in the classified service and publicize each such examination in such manner as the nature of the examination requires, including posting examination notices in state agencies in locations accessible to state employees at least two weeks prior to the application closing date. All competitive examinations shall be held at such times and places as in the judgment of the Commissioner of Administrative Services most nearly meet the convenience of applicants and needs of the service. In no event shall any other examination be given by an agency for a position subject to the examination procedure of the Department of Administrative Services.

(b) The Commissioner of Administrative Services shall give public notice of such examinations for positions in the classified service at least two weeks in advance by posting, or causing to be posted, an appropriate notice on the bulletin board maintained in or near the

quarters of the Department of Administrative Services and on the Internet web site of the department and by submitting the notice to the director of the state employment service. Such notice shall set forth the time **[**,**]** and place **[**and general scope**]** of the examination and shall **[**contain appropriate information concerning the duties,**]** be accompanied by a copy of the official description of the position, and provide the work location, **[**conditions,**]** salary and **[**requirements of the positions, and the examination procedures, including one arrangement of the**]** weights to be given for the weighted parts of the examination, if applicable, provided once such notice has been given, the weights established in the notice for the weighted parts of the examination shall not be altered in any manner.

Sec. 354. Section 5-219 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) Examinations shall be in such form and of such character and shall relate to such matters as will fairly test and determine the qualifications, fitness and ability of the persons tested to perform the duties of the class or position to which they seek appointment. Examinations shall be formulated in cooperation with agencies appointing specific classes of employees and shall be competitive **[**, free and, except as otherwise expressly provided by statute,**]** and open to all persons who may be lawfully appointed to any position in the class for which examinations are held, with such limitations as to age, residence, health, habits, character, sex and qualifications as are considered desirable by the Commissioner of Administrative Services and as are specified in the public announcement of the examination, provided no such limitation shall be made as to age or sex except in the case of a bona fide occupational qualification or need. Formal education requirements may be considered as a condition for the taking of such examinations. Possession of a professional license or degree, or satisfactory completion of an accreditation, certificate or

licensure program may serve as the sole basis for appointment, provided such credentials are a mandatory requirement for employment in a position. Examinations may take the form of written or oral tests, demonstration of skill or physical ability, experience and training evaluation, or in the case of promotional examinations, evaluation of prior performance, or any other assessment device or technique deemed appropriate to measure the knowledge, skills or abilities required to successfully perform the duties of the job. All persons competing for placement on any one candidate list shall be administered the same or equivalent forms of the same examination or examination phases, except as necessary to comply with the federal Americans with Disabilities Act and section 4-61nn, and be required to achieve passing scores on each successive phase and for the examination as a whole in order to remain in competition. The provisions of this section shall be the sole determinant for qualification and no other examination shall be permitted by any agency head to further qualify persons seeking appointment except as authorized by the commissioner.

(b) The commissioner may charge any person not employed by the state a reasonable fee for taking an examination, provided such fee shall not exceed the cost of developing and administering such examination. The commissioner may waive any such fee for any person who applies, in the form and manner prescribed by the commissioner, for a waiver of such fee and demonstrates that he or she is financially unable to pay such fee. The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, to carry out the purposes of this subsection.

Sec. 355. Section 5-219a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

[(a)**]** It shall be the policy of all state agencies to consider volunteer experience as partial fulfillment of training and experience

requirements for state employment. The Commissioner of Administrative Services shall adopt regulations in accordance with the provisions of chapter 54 to implement such policy.

[(b) Each state agency shall include an analysis of personnel hirings for the preceding year in its annual report to the Governor. Such report shall indicate the extent to which volunteer experience was taken into account in determining the qualifications of applicants for state employment.**]**

Sec. 356. Subsection (a) of section 5-221 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The Commissioner of Administrative Services may reject the application of any person for admission to an examination for establishing a candidate list for the classified service, or refuse to examine any applicant for such service, who (1) has been found to lack any of the established qualifications for the position for which **[**he**]** such applicant applies or for which **[**he**]** such applicant has been examined, **[**or who**]** (2) is physically or medically unfit to perform effectively the duties of the position in which he or she seeks employment, **[**or who**]** (3) is addicted to the habitual use of drugs or intoxicating liquors, **[**or who**]** (4) has been dismissed from the public service for delinquency, incompetency, misconduct or neglect of duty, or **[**who**]** (5) has made a false statement of any material fact or practiced or attempted to practice any deception or fraud in his or her application, in his or her examination or in securing his or her eligibility or appointment.

Sec. 357. Section 5-221a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

[Within ten days of the receipt by an**]** An applicant for employment

or an employee in the classified service **[**of a notice of rejection of his application for admission to an examination held for the purpose of establishing a candidate list for any position in the classified service, such applicant or employee**]** may appeal **[**such**]** the rejection of such applicant's or employee's application, in writing, to the Commissioner of Administrative Services **[**,**]** not later than twelve days after the mailing of such rejection notice by providing supplementary information on qualifications as may be necessary. **[**, and**]** Such applicant or employee may request a **[**hearing to**]** review of such rejection **[**. The commissioner shall appoint**]** by an independent human resource professional **[**to**]** who shall render a final decision on the applicant's or employee's appeal within **[**thirty**]** fifteen days thereafter.

Sec. 358. Section 5-225 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

All persons competing in any examination shall be given written notice of their final earned ratings and the minimum earned rating necessary to pass the examination. **[**Within**]** Not later than thirty days **[**of receipt**]** after the issuance of the final earned rating, a person who has not achieved a passing rating may inspect his or her papers, markings, background profiles and other items used in determining the final earned ratings, other than examination questions and other materials constituting the examination, subject to such regulations as may be issued by the Commissioner of Administrative Services. **[**Within thirty**]** Not later than ten days **[**of**]** after inspecting his or her papers, a person may, in writing, appeal to the Commissioner of Administrative Services the accuracy of his or her final earned rating, as based on the original examination paper or responses. The commissioner shall render a final decision on the person's appeal within thirty days thereafter and correct candidate lists as appropriate.

Sec. 359. Section 5-227b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

[Whenever the number of applicants meeting the minimum qualifications for admission to an announced promotional examination is five or less, the Commissioner of Administrative Services may immediately certify as eligible for appointment the names of all such applicants to the appointing authority without further examination, provided such applicants have satisfactory service or performance ratings.**]**

(a) Examinations for positions may be waived by the Commissioner of Administrative Services under any of the following conditions: (1) Where the possession of a professional license, degree or satisfactory completion of an accreditation, certificate or licensure program is a mandatory requirement for appointment or promotion to a position in state service; (2) where the appointment or promotion to a job classification that is utilized by a single state agency is limited in number and has few vacancies in the professional or managerial series; (3) when the qualifications for a position within the managerial class are so specialized or unique that an examination for a general job classification would not result in a list of candidates possessing such qualifications and would not be cost effective; or (4) when the number of applicants meeting the minimum qualifications for admission to an announced promotional examination is five or less.

(b) If the commissioner has granted a waiver of examination in accordance with subsection (a) of this section, the commissioner may delegate to a department head the authority to recruit for such position. A full or partial delegation may be granted to the department head under a delegation plan that shall be approved in advance by the commissioner. Any such delegation plan shall (1) include standards for the posting of positions with a minimum time period of not less than one week; (2) specify the manner in which such notice shall be posted; and (3) specify the procedures for accepting and rejecting applicants based upon the minimum required qualifications. Where the

department head has identified a candidate suitable for appointment and prior to making a formal or informal offer of employment, such department head shall submit the application, any supporting documentation for such candidate and the applications of such additional candidates such department head deems eligible for appointment to the commissioner for certification that such preferred candidate has met the minimum qualifications of experience and training as set forth in the job specification. Once written certification is granted, the department head may make an offer of employment to the candidate certified by the commissioner.

(c) All recruitments performed by a department head pursuant to this section shall be subject to post audit by the commissioner.

Sec. 360. Section 5-228 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) When a vacancy in any permanent position in the classified service is to be filled, the appointing authority shall notify the Commissioner of Administrative Services of such fact, stating the title of the position to be filled. Vacancies in such positions shall be filled, so far as **[**practicable**]** possible and for the best interest of the state, by reemployment, as provided in subsection (b) of section 5-241, promotional appointments from within the agency and service-wide promotional appointments or transfers in accordance with regulations issued by the commissioner. The appointing authority, with the approval of the commissioner, shall decide whether a vacancy shall be filled by promotion from within the agency, from a state-wide employment list, transfer or, if such is not **[**practicable**]** possible, by original appointment.

(b) If a vacancy is to be filled by a promotional appointment from within the agency, the commissioner shall certify to the appointing authority the names of all candidates from the agency in accordance

with the provisions of section 5-215a, as amended by this act, or if an examination is waived, in accordance with provisions of section 5-227b, as amended by this act.

(c) If a vacancy is to be filled by promotion from a service-wide candidate list, the commissioner shall certify to the appointing authority the names of all candidates on that candidate list in accordance with the provisions of section 5-215a, as amended by this act, or if an examination is waived, in accordance with the provisions of section 5-227b, as amended by this act.

(d) If a vacancy is to be filled by an original appointment, the commissioner shall certify to the appointing authority the names of all candidates on that candidate list in accordance with the provisions of section 5-215a, as amended by this act, or if an examination is waived, in accordance with provisions of section 5-227b, as amended by this act.

(e) Appointees to any position in the classified service shall be required to serve the working test period provided for in this chapter. Any promotional appointee from within the agency who is dismissed from the position to which he or she was promoted during such working test period, or at the conclusion thereof, shall be restored to a position in the same class in which he or she had been employed prior to his or her promotion. Any other appointee who was employed in the classified service prior to his or her appointment and who is dismissed from the position to which he or she was appointed during such working test period or at the conclusion thereof, shall be restored to a vacancy in the same class, or a vacancy in a comparable class or a vacancy in any other position the employee is qualified to fill, in the agency in which he or she had been employed prior to his or her appointment, or shall have his or her name placed on a reemployment list. **[**No appointing authority who has removed such an employee as provided in this section may exercise such right of removal again with

respect to any other employee in the same position within three calendar months after such original removal, except with the consent of the commissioner.**]** No provision of this section shall be construed to prevent any employee in the unclassified service from competing for positions in the classified service if he or she possesses the minimum qualifications established by the commissioner. **[**, except that no such employee shall be eligible to compete in a promotional examination unless he has previous permanent status in classified service.**]** In the certification of names of persons eligible for appointment, sex shall be disregarded except when otherwise provided by statute or upon request of the appointing authority, subject to the approval of the commissioner.

Sec. 361. Section 5-229 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

An appointing authority, upon receipt of a candidate list for any vacant position in the classified service or upon receiving the approval of the Commissioner of Administrative Services in accordance with the provisions of section 5-227b, as amended by this act, shall appoint an eligible person from the list in accordance with the provisions of section 5-215a, as amended by this act, or 5-227b, as amended by this act, within a reasonable time fixed by the Commissioner of Administrative Services, except that appointment of such an eligible person need not be made if the commissioner, upon good cause shown, approves the request of an appointing authority that no appointment be made. Such appointment shall be effective on the date designated by the appointing authority.

Sec. 362. Section 5-230 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The Commissioner of Administrative Services shall establish appropriate working test periods of not less than three months nor

more than one year for the various classes of positions. Within ten days preceding the termination of the working test period, and at such other times as the commissioner **[**requires**]** deems appropriate, the appointing authority shall report to the commissioner whether such employee is able and willing to perform his duties in a manner so as to merit permanent appointment. **[**The requirement as to such reports for positions involving unskilled or semiskilled labor or domestic, attending or other housekeeping and custodial service at institutions may be waived.**]** At any time during the working test period, after fair trial, the appointing authority may remove any employee if, in the opinion of such appointing authority, the working test indicates that such employee is unable or unwilling to perform his or her duties so as to merit continuance in such position and shall report **[**his action**]** such removal to the commissioner. The name of any employee so removed, but who is considered by the commissioner to be suitable for employment in some other department, agency or institution, may be restored to the candidate list if such list is active. For the purposes of this section, any employee who has served part of a working test period in a position in the classified service who is, pursuant to examination, appointed to, and serves part of a working test period in, a position in a higher classification in a field of work directly related to his or her prior position, from which new position he or she is dismissed, shall, at his or her option, be reappointed to the position which **[**he**]** such employee first had and his or her service in the working test period for such first position shall be deemed to include the time spent in the working test period for the higher position.

Sec. 363. Section 5-235 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) **[**When a candidate list provided under section 5-215a contains fewer than five candidates, in**]** In order to facilitate the carrying on of public business or avoid inconvenience to the public, but not

otherwise, the Commissioner of Administrative Services may authorize the filling of the position at once by provisional appointment, [pending the establishment of a] provided there are no individuals on the reemployment or candidate list. Any such provisional appointment shall continue only until [a reemployment or candidate list for such position is established and, in no case, for a period exceeding a total of six months] an appropriate recruitment is made for the filling of such position. No person shall receive more than one provisional appointment or serve more than six months as a provisional appointee in any one fiscal year.

(b) When, by reason of the pressure of work, an appointing authority determines that an extra position in the classified service should be temporarily established for a period of not more than six months, such appointing authority shall so notify the commissioner, stating the cause therefor, the probable length of time the extra position will be required, the duties to be performed and the salary to be paid. When, in the judgment of the commissioner such an extra position should be established, [he] the commissioner shall authorize the temporary appointment of a qualified person, with or without competitive examinations. Temporary appointments to extra positions shall, as far as practicable, be made from reemployment and candidate lists. No such appointments shall be authorized for a period of more than six months and such appointments shall not be renewed within any fiscal year.

(c) An appointing authority or any subordinate authorized by him, to facilitate the carrying on of public business or avoid loss or serious inconvenience to the public, when an emergency arises which will not permit the securing of eligible persons, may appoint any qualified person during such emergency for a period of not more than two months. Persons so appointed shall be known as emergency employees. Appointing authorities shall report to the commissioner all

emergency appointments and such appointments shall not be renewed.

(d) The commissioner may establish unskilled and semiskilled positions, as **[**defined**]** described in section 5-233, or, by competitive examination, candidate lists of eligible persons who are available for employment on an intermittent basis and either the administrator of the Unemployment Compensation Act or the Commissioner of Revenue Services may appoint persons to such positions or from such lists to perform intermittent services as may be required. Persons so employed shall be known as intermittent employees and shall be compensated on an hourly rate basis as prescribed by the Commissioner of Administrative Services, subject to the approval of the Secretary of the Office of Policy and Management. Intermittent employees shall not be considered permanent employees and shall receive only such rights and benefits applicable to other state employees as may be expressly prescribed by the Commissioner of Administrative Services. Such intermittent employees who meet eligibility requirements shall be admitted to promotional examinations and be placed on candidate lists pursuant to this chapter.

Sec. 364. Subsection (a) of section 5-237 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The Commissioner of Administrative Services shall **[**issue**]** adopt, in accordance with the provisions of chapter 54, such regulations for the administration of such service rating system as the commissioner **[**shall deem**]** deems practicable. Such service ratings shall be used in determining salary and wage increases and decreases within the limits provided by statute and within the limits of the schedules of compensation, as a means of discovering employees in the classified service who, by reason of their unsatisfactory service, ought to be demoted or dismissed. Reports of service ratings or of

information to be used as a basis for service ratings shall not be required for any employee or group of employees more often than once in three months without the consent of the appointing authorities. Any employee in the classified service shall have the right, at reasonable times during office hours, to inspect his service ratings, as shown by the records of the Department of Administrative Services or of the department, agency or institution in which such employee is employed.

Sec. 365. Section 5-238 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The Commissioner of Administrative Services shall **[**issue**]** adopt regulations, in accordance with the provisions of chapter 54, for establishing and maintaining uniform and equitable hours of work required of all employees in the Executive Department, which regulations shall be approved by the Secretary of the Office of Policy and Management. The number of hours any employee shall be required to be on duty each day or in any week or month shall be uniform for all whose positions are allocated to the same class unless specifically otherwise provided by action of the commissioner and recorded in his office, together with the reason for each such exception, but the hours for different classes may be different. A copy of such regulations, when issued, shall be furnished to each department, agency or institution for the guidance of appointing authorities and their employees. Where work requirements cannot be met by the establishment of regular work schedules, the commissioner may designate positions or classes as unscheduled, provided, over a period of not more than eight weeks, no employee serving in a position designated as unscheduled shall average more than five workdays and thirty-five hours per week per period.

Sec. 366. Section 5-239 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The Commissioner of Administrative Services shall provide by **[**regulation**]** regulations adopted in accordance with the provisions of chapter 54 for the transfer of employees from a position of a given class to another position in the same or a comparable class either within the same department, agency or institution or from one department, agency or institution to another. The commissioner shall also provide by regulation for the periodical or occasional transfer of employees for a period not exceeding six months, to bring about the better distribution of persons in the service, to effect economies, to make available extra stenographic, clerical, messenger or other service needed for short periods or to provide training sought by employees or required by appointing authorities. When any department, agency or institution needs additional employees for a short period, it shall notify the commissioner, who shall so far as possible arrange for the temporary assignment of such additional employees on the basis of a temporary transfer. No person shall be transferred from a position in the unclassified service to a position in the classified service unless the person is eligible for selection from a candidate list in accordance with the provisions of section 5-215a, as amended by this act.

Sec. 367. Subsection (b) of section 5-241 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(b) An appointing authority desiring to lay off an employee shall give him not less than two weeks' notice in writing, stating the reason for such action, except that in the case of an employee, as defined in section 5-196, as amended by this act, who is not covered by a collective bargaining agreement and who has been in the classified service for (1) at least five but not more than ten years, the appointing authority shall provide at least four weeks' notice, (2) more than ten but not more than fifteen years, the appointing authority shall provide at least six weeks' notice, (3) more than fifteen years, the appointing

authority shall provide at least eight weeks' notice. A copy of such notice shall immediately be forwarded to the Commissioner of Administrative Services. The commissioner shall arrange to have the employee transferred to a vacancy in the same or a comparable class or in any other position the employee is qualified to fill in any department, agency or institution. If there is no vacancy available or the employee refuses to accept the transfer, the commissioner shall cause the name of such employee to be placed on the reemployment list for the appropriate class for which **[**he**]** such employee has attained permanent status or has the ability to qualify, as determined by the commissioner. During the period **[**he**]** any employee is entitled to remain on the reemployment list, such an employee shall be rehired in the classification from which he or she was laid off or for which he or she is qualified, as vacancies occur, in the reverse order of layoff. Any employee who is rehired from a reemployment or other employment list into a classification in which he or she had prior status shall not be required to complete a new working test period, as defined in subdivision **[**(1)**]** (27) of section 5-196, as amended by this act.

Sec. 368. Section 5-244 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

When an employee has become physically or mentally incapable of, or unfit for, the efficient performance of the duties of his or her position, by reason of infirmities due to advanced age or other disability, the appointing authority shall recommend to the Commissioner of Administrative Services that the employee be transferred to less arduous duties or separated from state service in good standing. Any employee who is separated from state service in good standing pursuant to the provisions of this section and is subsequently reemployed within one year from the date of such separation shall be eligible to reinstate any sick leave that was accrued as of the date of such employee's separation by repaying the entire

amount of compensation such employee received as payment for such sick leave when he or she separated from state service. Such repayment shall be made in a lump sum not later than thirty days after the date of such employee's reemployment. If such payment is not received within thirty days of the date on which such employee was reemployed, such employee shall forfeit the right to reinstate his or her accrued sick leave.

Sec. 369. Subsection (f) of section 5-248 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(f) Any agency may reinstate, without examination, any employee who has resigned in good standing and has withdrawn his or her resignation within one year to positions in classes in which he or she has attained permanent status. A classified employee with at least five years of state service appointed to an unclassified position may be granted a leave of absence without pay from the classified service by the Commissioner of Administrative Services for such length of time as he or she shall hold such appointive position, except that no such leave of absence shall exceed two consecutive years unless such classified employee requests and is granted a renewal of such leave of absence by the commissioner.

Sec. 370. Section 5-248b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

[On or before July 1, 1988, the**]** The Commissioner of Administrative Services shall adopt regulations, in accordance with the provisions of chapter 54, which establish procedures and guidelines necessary to implement the provisions of section 5-248a, as amended by this act, including but not limited to procedures for the periodic reporting by state agencies to the commissioner of their current experience with leaves of absence taken pursuant to said section. **[**Such regulations

may be adopted by the commissioner prior to July 1, 1988, but may not take effect prior to that date.**]**

Sec. 371. Section 5-255 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) Any employee who leaves or had left the state service for the purpose of entering the armed forces of the United States shall be reinstated in **[**his**]** such employee's former position and duties, provided, **[**within**]** not later than ninety days after **[**he**]** such employee has received a certificate of satisfactory service from the armed forces, **[**he makes or has made application**]** such employee applies or has applied for return to the state service. The terms of employment in the service of the state shall be construed to include, in the case of such employee, the period of **[**his**]** such employee's leave from state service. The appointing authority of any state agency in which such employee is reinstated shall certify in writing to the Commissioner of Administrative Services that such employee is able and qualified to perform the work required and that there is work available for him or her. In considering the factor of availability of work, the state shall replace by the returning employee any employee, junior in service, who was employed for the purpose of filling the position vacated by such returning employee. This section shall not apply to any state employee who because of voluntary reenlistment has been absent from such state service for a period of more than three years in addition to war service or compulsory service and the ninety-day period **[**hereinbefore**]** provided for in this subsection.

(b) The term of employment in the service of the state shall be construed to include, in the case of a veteran, the term of war service of such veteran, and all records of the state which show the length of service in the employment of the state of any such veteran shall be maintained so as to show the length of such war service and the total of such employment service and war service.

(c) In no event shall the protections and benefits afforded under this section be less than those required under any applicable provision of federal law, including the Uniformed Services Employment and Reemployment Rights Act, 38 USC Sections 4301 to 4333, inclusive.

Sec. 372. Section 5-266c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The Commissioner of Administrative Services shall issue such regulations as are necessary and appropriate for administration of sections 5-266a to 5-266d, inclusive, in accordance with the provisions of chapter 54.

Sec. 373. Section 5-266d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

If, upon the complaint of any citizen of the state, the Commissioner of Administrative Services finds that any employee in the classified service has violated any provision of **[**sections**]** section 5-266a **[**to 5-266d, inclusive**]** or regulations promulgated pursuant to section 5-266c, as amended by this act, said commissioner may dismiss such employee from state service. If said commissioner finds that the violation does not warrant removal, **[**he**]** the commissioner may impose a penalty on such employee of suspension from **[**his**]** such employee's position without pay for not less than thirty days or more than six months. Any employee aggrieved by any action of the commissioner under the provisions of this section may appeal as provided in section 5-202.

Sec. 374. Subsection (g) of section 12-802 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(g) The executive branch **[**may**]** shall negotiate on behalf of the corporation for employees of the corporation covered by collective bargaining and represent the corporation in all other collective

bargaining matters. The corporation shall be entitled to have a representative present at all such bargaining.

Sec. 375. Subsection (e) of section 29-4 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(e) Salaries of the members of the Division of State Police within the Department of Emergency Services and Public Protection shall be fixed by the Commissioner of Administrative Services as provided in section 4-40. State police personnel may be promoted, demoted, suspended or removed by the commissioner, but no final dismissal from the service shall be ordered until a hearing has been had before **[**said commissioner**]** the Commissioner of Emergency Services and Public Protection on charges preferred against such officer. Each state police officer shall, before entering upon such officer's duties, be sworn to the faithful performance of such duties. The Commissioner of Emergency Services and Public Protection shall designate an adequate patrol force for motor patrol work exclusively.

Sec. 376. Subsections (d) and (e) of section 54-125a of the general statutes, as amended by section 59 of public act 13-3, are repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(d) The Board of Pardons and Paroles **[**shall**]** may hold a hearing to determine the suitability for parole release of any person whose eligibility for parole release is not subject to the provisions of subsection (b) of this section upon completion by such person of seventy-five per cent of such person's definite or aggregate sentence less any risk reduction credit earned under the provisions of section 18-98e. An employee of the board or, if deemed necessary by the chairperson, a panel of the board shall **[**reassess**]** assess the suitability for parole release of such person based on the following standards: (1) Whether there is reasonable probability that such person will live and

remain at liberty without violating the law, and (2) whether the benefits to such person and society that would result from such person's release to community supervision substantially outweigh the benefits to such person and society that would result from such person's continued incarceration. **[**After hearing**]** If a hearing is held, and if the board determines that continued confinement is necessary, **[**it**]** the board shall articulate for the record the specific reasons why such person and the public would not benefit from such person serving a period of parole supervision while transitioning from incarceration to the community. If a hearing is not held, the board shall document the specific reasons for not holding a hearing and provide such reasons to such person. No person shall be released on parole without receiving a hearing. The decision of the board under this subsection shall not be subject to appeal.

(e) The Board of Pardons and Paroles **[**shall**]** may hold a hearing to determine the suitability for parole release of any person whose eligibility for parole release is subject to the provisions of subdivision (2) of subsection (b) of this section upon completion by such person of eighty-five per cent of such person's definite or aggregate sentence. An employee of the board or, if deemed necessary by the chairperson, a panel of the board shall assess the suitability for parole release of such person based on the following standards: (1) Whether there is reasonable probability that such person will live and remain at liberty without violating the law, and (2) whether the benefits to such person and society that would result from such person's release to community supervision substantially outweigh the benefits to such person and society that would result from such person's continued incarceration. **[**After hearing,**]** If a hearing is held, and if the board determines that continued confinement is necessary, **[**it**]** the board shall articulate for the record the specific reasons why such person and the public would not benefit from such person serving a period of parole supervision while transitioning from incarceration to the community. If a hearing is

not held, the board shall document the specific reasons for not holding a hearing and provide such reasons to such person. No person shall be released on parole without receiving a hearing. The decision of the board under this subsection shall not be subject to appeal.

Sec. 377. Deleted.

Sec. 378. Section 107 of public act 13-184 is amended to read as follows (*Effective from passage*):

The sum of **[**$24,200,000**]** $19,200,000 shall be transferred from the Clean Energy Finance and Investment Authority established pursuant to section 16-245n of the general statutes, and credited to the resources of the General Fund for the fiscal year ending June 30, 2015.

Sec. 379. Section 51 of public act 13-184 is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) Up to $750,000 of the unexpended balance of funds appropriated in section 68 of public act 11-61, as amended by section 2 of public act 12-104, to the Department of Motor Vehicles, for Personal Services, shall not lapse on June 30, 2013, and such funds shall be transferred to the Other Expenses account and made available for the fiscal year ending June 30, 2014, for efforts related to providing motor vehicle licenses for persons who cannot provide the Commissioner of Motor Vehicles with proof of legal residence in the United States.

(b) Up to $100,000 of the unexpended balance of funds appropriated in section 68 of public act 11-61, as amended by section 2 of public act 12-104, to the Department of Motor Vehicles, for Personal Services, shall not lapse on June 30, 2013, and such funds shall be transferred to the Equipment account and made available for the fiscal year ending June 30, 2014, for efforts related to providing motor vehicle licenses for persons who cannot provide the Commissioner of Motor Vehicles with proof of legal residence in the United States.

Sec. 380. Change the effective date of section 122 of public act 13-184 to "Effective July 1, 2013".

Sec. 381. (*Effective from passage*) Notwithstanding the time limit set forth in subsection (d) of section 12-120b of the general statutes, any person in the city of Danbury who failed to file a written request for a reconsideration of the decision by the Secretary of the Office of Policy and Management to modify or deny an exemption granted by the assessor of said city, under the provisions of subdivision (72) of section 12-81 of the general statutes, for the assessment year commencing October 1, 2006, may file a request for such reconsideration provided (1) such request is filed not later than thirty days after the effective date of this section, and (2) is accompanied by all documentation and information specified in the secretary's letter of modification or denial. Said secretary shall, not later than thirty days following receipt of such person's request and the required supporting documentation and information, reconsider the decision to modify or deny said exemption, and shall send a written determination with respect to such decision to such person. If aggrieved by the secretary's determination, such person may request a hearing before said secretary, in accordance with the provisions of said subdivision (d) of section 12-120b of the general statutes. If said secretary determines that such person is eligible for the exemption claimed for the assessment year commencing October 1, 2006, under the provisions of subdivision (72) of section 12-81 of the general statutes, said secretary shall notify such person and the assessor of the city of Danbury of such approval. If taxes have been paid on the machinery and equipment for which such exemption is approved by said secretary, the city of Danbury shall reimburse the person who made such payment in an amount equal to the reimbursement issued by the Treasurer with respect to such exempt machinery and equipment.

Sec. 382. (NEW) (*Effective July 1, 2013, and applicable to taxable years*

commencing on and after January 1, 2013) (a) For purposes of this section, "qualified apprenticeship training program" shall have the same meaning as in section 12-217g of the general statutes, and "taxpayer" means an affected business entity, as defined in section 12-284b of the general statutes.

(b) The Labor Commissioner shall establish and implement a program of grants for taxpayers that employ apprentices under a qualified apprenticeship training program in the manufacturing trades, plastics and plastics-related trades or construction trades. The eligibility requirements for such apprenticeship grants shall be the same as those imposed by section 12-217g of the general statutes. Grants awarded by the commissioner pursuant to this section shall be in the amounts provided in said section 12-217g for apprentices in the appropriate trade.

(c) The total amount of grants available under such program shall not exceed fifty thousand dollars. Taxpayers shall apply for grants to the commissioner, on forms and in the manner provided by the commissioner. The commissioner shall award such grants on a first-come, first-served basis.

Sec. 383. (*Effective July 1, 2013*) Up to $250,000 of the unexpended balance of funds appropriated to Legislative Management, for Personal Services, in section 67 of public act 11-61, as amended by section 1 of public act 12-104 and section 1 of public act 12-1 of the June 12 special session, for the fiscal year ending June 30, 2013, shall not lapse on said date, and such funds shall be transferred to the Minor Capital Equipment account and made available for funding for the Connecticut Television Network during the fiscal year ending June 30, 2014.

Sec. 384. Subsection (a) of section 25-43 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective*

October 1, 2013):

(a) Any person who bathes or swims in any reservoir from which the inhabitants of any town, city or borough are supplied with water, or in any lake, pond or stream tributary to any distribution reservoir, or in any part of any lake, pond or stream tributary to any storage reservoir, which part is distant less than two miles measured along the flow of water from any part of such storage reservoir, and any person who causes or allows any pollutant or harmful substance to enter any such public water supply reservoir, whether distribution or storage, or any of its tributaries, or commits any nuisance in any public water supply reservoir or its watershed, shall be fined not more than five hundred dollars. For the purposes of this section, "storage reservoir" means an artificial impoundment of substantial amounts of water, used or designed for the storage of a public water supply and the release thereof to a distribution reservoir, and "distribution reservoir" means a reservoir from which water is directly released into pipes or pipelines leading to treatment or purification facilities or connected directly with distribution mains of a public water system. Notwithstanding the provisions of this subsection, a person shall be permitted to swim in any body of water where flood-skimming is used to transfer excess water from the body of water to a distribution reservoir during periods when flood-skimming is not occurring, provided swimming has been permitted in such body of water for a period of not less than fifty years.

Sec. 385. Section 7-432 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) Any member shall be eligible for disability retirement and for a disability retirement allowance who has completed at least ten years of continuous service if **[**he**]** such member becomes permanently and totally disabled from **[**engaging in any gainful employment in the service of the municipality. For purposes of this section, "gainful

employment" shall not include a position in which a member customarily works less than twenty hours per week**]** rendering service in the position in which such member has been employed.

(b) In order to obtain a retirement allowance under this section, a member shall apply in writing for such allowance to the medical examining board established pursuant to subsection (c) of section 5-169, not later than one year after incurring the disability. The disability retirement allowance may be made retroactive to the date of the last day of municipal service.

(c) If such disability is shown to the satisfaction of the **[**Retirement Commission**]** medical examining board to have arisen out of and in the course of **[**his**]** such member's employment by the municipality, as defined by the Workers' Compensation Act, **[**he**]** the member shall be eligible for retirement irrespective of the duration of his employment. Such retirement allowance shall continue during the period of such disability.

[The**]** (d) After twenty-four months, the existence and continuance of disability shall be determined by the **[**Retirement Commission**]** medical examining board upon such medical evidence and other **[**investigation**]** documentation as it requires, demonstrating that such member is totally disabled from rendering service in the position in which such member has been employed in the service of the municipality. **[**No such allowance shall be paid if the disability has been caused by the wilful misconduct or intoxication of the disabled member. In order to obtain a retirement allowance under this section a member shall apply in writing for such allowance to the Retirement Commission within one year after incurring the disability, and the allowance may be made retroactive to the date at which the pay of the disabled member ceased.**]**

(e) If the disabled retiree becomes disabled after January 1, 2013,

and is not working, the total income he receives cannot exceed eighty per cent of the higher of his average salary or his salary at the time of disability. Such eighty per cent limitation shall be the combined income from the Municipal Employee Retirement System; Social Security disability payments, including payments to the individual's spouse and children; and temporary total or temporary partial benefits under the Workers' Compensation Act.

(f) If the disabled retiree becomes disabled after January 1, 2013, and is working, the total income he receives cannot exceed one hundred per cent of the higher of his average salary or his salary at the time of disability. The one hundred per cent limitation shall be the combined income from the Municipal Employee Retirement System; Social Security disability payments, including payments to the individual's spouse and children; temporary total or temporary partial benefits under the Workers' Compensation system and his gross income from outside employment.

(g) No reconsideration of a decision concerning eligibility for a disability retirement allowance or the discontinuance of such allowance shall be made by the medical examining board unless a member, upon application to the medical examining board for a redetermination, discloses additional facts concerning the member's condition.

(h) Retirement income being paid for disability retirement shall end when and if the disability ends. Such member shall then retire at normal or early retirement age, if eligible, or retain a vested right to a deferred pension, if otherwise eligible.

Sec. 386. Section 9-369b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) (1) Except as provided in **[**subsection (b)**]** subdivision (2) of this

[section**]** subsection, any municipality may, by vote of its legislative body, authorize the preparation and printing of concise explanatory texts of local proposals or questions approved for submission to the electors of a municipality at a referendum. In a municipality that has a town meeting as its legislative body, the board of selectmen shall, by majority vote, determine whether to authorize an explanatory text or the dissemination of other neutral printed material. Thereafter, each such explanatory text shall be prepared by the municipal clerk, subject to the approval of the municipal attorney, and shall specify the intent and purpose of each such proposal or question. Such text shall not advocate either the approval or disapproval of the proposal or question. The municipal clerk shall cause such question or proposal and such explanatory text to be printed in sufficient supply for public distribution and shall also provide for the printing of such explanations of proposals or questions on posters of a size to be determined by said clerk. At least three such posters shall be posted at each polling place at which electors will be voting on such proposals or questions. Any posters printed in excess of the number required by this section to be posted may be displayed by said clerk at the clerk's discretion at locations which are frequented by the public. The explanatory text shall also be furnished to each absentee ballot applicant pursuant to subsection (d) of section 9-140. **[**Except as provided in subsection (d) of this section, no expenditure of state or municipal funds shall be made to influence any person to vote for approval or disapproval of any such proposal or question.**]** Any municipality may, by vote of its legislative body and subject to the approval of its municipal attorney, authorize the preparation and printing of materials concerning any such proposal or question in addition to the explanatory text if such materials do not advocate the approval or disapproval of the proposal or question. **[**This subsection shall not apply to a written, printed or typed summary of an official's views on a proposal or question, which is prepared for any news medium or which is not distributed with public funds to a member of

the public except upon request of such member.**]**

[(b)**]** (2) For any referendum called for by a regional school district, the regional board of education shall authorize the preparation and printing of concise explanatory texts of proposals or questions approved for submission to the electors of a municipality at a referendum. The regional school board of education's secretary shall prepare each such explanatory text, subject to the approval of the regional school board of education's counsel, and shall undertake any other duty of a municipal clerk, as described in **[**subsection (a)**]** subdivision (1) of this **[**section**]** subsection.

(3) For purposes of this subdivision, "community notification system" means a communication system that is available to all residents of a municipality and permits any resident to opt to be notified by the municipality via electronic mail, text, telephone or other electronic or automated means of community events or news. At the direction of the chief elected official of a municipality, a municipality that maintains a community notification system may use such system to send a notice informing residents of an upcoming referendum to all residents enrolled in such system. Such notice shall be limited to (A) the time and location of such referendum, (B) a statement of the question as it is to appear on the ballot at the referendum, and (C) if applicable, the explanatory text approved in accordance with subdivision (1) or (2) of this subsection. Any such notice shall not advocate the approval or disapproval of the proposal or question or attempt to influence or aid the success or defeat of the referendum. Other than a notice authorized by this subdivision, no person may use or authorize the use of municipal funds to send an unsolicited communication to a group of residents regarding a referendum via electronic mail, text, telephone or other electronic or automated means for the purpose of reminding or encouraging such residents to vote in a referendum, provided such prohibition shall not apply to a regularly

published newsletter or similar publication.

(4) Except as specifically authorized in this section, no expenditure of state or municipal funds shall be made to influence any person to vote for approval or disapproval of any such proposal or question or to otherwise influence or aid the success or defeat of the referendum. The provisions of this subdivision shall not apply to a written, printed or typed summary of any official's views on a proposal or question, which is prepared for any news medium or which is not distributed with public funds to a member of the public except upon request of such member.

[(c)**]** (b) The State Elections Enforcement Commission, after providing an opportunity for a hearing in accordance with chapter 54, may impose a civil penalty on any person who violates **[**subsection (a) or (b) of**]** this section by authorizing an expenditure of state or municipal funds for a purpose which is prohibited by **[**subsection (a) of**]** this section. The amount of any such civil penalty shall not exceed twice the amount of the improper expenditure or one thousand dollars, whichever is greater. In the case of failure to pay any such penalty imposed under this subsection within thirty days of written notice sent by certified or registered mail to such person, the superior court for the judicial district of Hartford, on application of the commission, may issue an order requiring such person to pay the penalty imposed. Notwithstanding the provisions of sections 5-141d, 7-101a and 7-465, any other provision of the general statutes, and any provision of any special act or charter, no state or municipal officer or employee shall be indemnified or reimbursed by the state or a municipality for a civil penalty imposed under this subsection.

[(d)**]** (c) Any municipality may provide, by ordinance, for the preparation and printing of concise summaries of arguments in favor of, and arguments opposed to, local proposals or questions approved for submission to the electors of a municipality at a referendum for

which explanatory texts are prepared under subsection (a) **[**or (b)**]** of this section. Any such ordinance shall provide for the establishment or designation of a committee to prepare such summaries, in accordance with procedures set forth in said ordinance. The members of said committee shall be representatives of various viewpoints concerning such local proposals or questions. The committee shall provide an opportunity for public comment on such summaries to the extent practicable. Such summaries shall be approved by vote of the legislative body of the municipality, or any other municipal body designated by the ordinance, and shall be posted and distributed in the same manner as explanatory texts under subsection (a) of this section. Each summary shall contain language clearly stating that the printing of the summary does not constitute an endorsement by or represent the official position of the municipality.

Sec. 387. Section 5-228 of the general statutes, as amended by section 5 of public act 13-210, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) When a vacancy in any permanent position in the classified service is to be filled, the appointing authority shall notify the Commissioner of Administrative Services of such fact, stating the title of the position to be filled. Vacancies in such positions shall be filled, so far as **[**possible**]** practicable and for the best interest of the state, by reemployment, as provided in subsection (b) of section 5-241, promotional appointments from within the agency and service-wide promotional appointments or transfers in accordance with regulations issued by the commissioner. The appointing authority, with the approval of the commissioner, shall decide whether a vacancy shall be filled by promotion from within the agency, from a state-wide employment list, transfer or, if such is not **[**possible**]** practicable, by original appointment.

(b) If a vacancy is to be filled by a promotional appointment from

within the agency, the commissioner shall certify to the appointing authority the names of all candidates from the agency in accordance with the provisions of section 5-215a.

(c) If a vacancy is to be filled by promotion from a service-wide candidate list, the commissioner shall certify to the appointing authority the names of all candidates on that candidate list in accordance with the provisions of section 5-215a.

(d) If a vacancy is to be filled by an original appointment, the commissioner shall certify to the appointing authority the names of all candidates on that candidate list in accordance with the provisions of section 5-215a.

(e) Appointees to any position in the classified service shall be required to serve the working test period provided for in this chapter. Any promotional appointee from within the agency who is dismissed from the position to which such appointee was promoted during such working test period, or at the conclusion thereof, shall be restored to a position in the same class in which the appointee had been employed prior to his or her promotion. Any other appointee who was employed in the classified service prior to his or her appointment and who is dismissed from the position to which he or she was appointed during such working test period or at the conclusion thereof, shall be restored to a vacancy in the same class, or a vacancy in a comparable class or a vacancy in any other position the employee is qualified to fill, in the agency in which he or she had been employed prior to his or her appointment, or shall have his or her name placed on a reemployment list. No appointing authority who has removed such an employee as provided in this section may exercise such right of removal again with respect to any other employee in the same position within three calendar months after such original removal, except with the consent of the commissioner. No provision of this section shall be construed to prevent any employee in the unclassified service from competing for

positions in the classified service if such employee possesses the minimum qualifications established by the commissioner, except that no such employee shall be eligible to compete in a promotional examination unless he has previous permanent status in classified service. In the certification of names of persons eligible for appointment, sex shall be disregarded except when otherwise provided by statute or upon request of the appointing authority subject to the approval of the commissioner.

Sec. 388. Sections 4-60t, 4-124q, 4-173a, 19a-724, 19a-724a and 19a-724b of the general statutes, section 4 of public act 12-166 and section 105 of public act 13-184 are repealed. (*Effective from passage*)

Sec. 389. Sections 4b-1c, 4d-84, 4d-85 10a-12b, 10a-36 to 10a-42a, inclusive, 10a-42g, 10a-163 to 10a-163b, inclusive, 10a-164a, 10a-169, 10a-170 to 10a-170m, inclusive, 10a-170r to 10a-170v, inclusive, and 10a-172 of the general statutes, section 9 of public act 13-122 and sections 1 and 4 of public act 13-184 are repealed. (*Effective July 1, 2013*)

Sec. 390. Sections 4-124c to 4-124f, inclusive, 4-124h, 4-124m, 4-124o, 8-31a, 8-32a, 8-33a, 8-34a, 8-36a, 8-37a and 8-37b of the general statutes are repealed. (*Effective January 1, 2015*)

Sec. 391. Section 5-238b of the general statutes and section 35 of special act 90-18 are repealed. (*Effective July 1, 2013*)

Approved June 19, 2013